

House File 2578

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 730)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to state departments
2 and agencies from the rebuild Iowa infrastructure fund,
3 environment first fund, tobacco settlement trust fund, state
4 general fund, road use tax fund, Iowa finance authority
5 surplus moneys, and primary road fund, and making related and
6 corrective changes and providing effective dates.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

8 HF 2578

9 nh/es/25

PAG LIN

1 1 DIVISION I
1 2 REBUILD IOWA INFRASTRUCTURE FUND
1 3 Section 1. There is appropriated from the rebuild Iowa
1 4 infrastructure fund to the following departments and agencies
1 5 for the designated fiscal years, the following amounts, or so
1 6 much thereof as is necessary, to be used for the purposes
1 7 designated:
1 8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
1 9 a. For routine maintenance of state buildings and
1 10 facilities, notwithstanding section 8.57, subsection 5,
1 11 paragraph "c":
1 12 FY 2004=2005..... \$ 2,000,000
1 13 b. For relocation costs directly associated with
1 14 remodeling projects on the capitol complex and for facility
1 15 lease payments for the department of corrections, the Iowa
1 16 department of public health, and the department of public
1 17 safety, notwithstanding section 8.57, subsection 5, paragraph
1 18 "c":
1 19 FY 2004=2005..... \$ 2,271,617
1 20 c. For technology improvement projects, notwithstanding
1 21 section 8.57, subsection 5, paragraph "c":
1 22 FY 2004=2005..... \$ 1,861,496
1 23 Of the amount appropriated in this lettered paragraph,
1 24 \$288,496 is allocated to maintain and operate the enterprise
1 25 warehouse technology project and \$73,000 is allocated to the
1 26 division of criminal and juvenile justice planning of the
1 27 department of human rights for 1.00 full-time equivalent
1 28 position to provide support for the justice data warehouse
1 29 technology project.
1 30 d. For major renovation and major repair needs, including
1 31 health, life, and fire safety needs, and for compliance with
1 32 the federal Americans With Disabilities Act, for state
1 33 buildings and facilities under the purview of the department:
1 34 FY 2004=2005..... \$ 7,300,000
1 35 (1) Of the amount appropriated in this lettered paragraph,
2 1 up to \$375,000 may be used for costs associated with project
2 2 management services in the division of design and construction
2 3 within the general services enterprise of the department,
2 4 notwithstanding section 8.57, subsection 5, paragraph "c".
2 5 In addition to the amount provided for costs associated
2 6 with project management services in this subparagraph, the
2 7 division of design and construction may be reimbursed from
2 8 moneys appropriated in this lettered paragraph for such costs
2 9 associated with applicable capital projects in an amount not
2 10 to exceed \$370,824, notwithstanding section 8.57, subsection
2 11 5, paragraph "c". such reimbursement shall be provided for
2 12 pursuant to an agreement entered into with a governmental
2 13 entity to which the division of design and construction
2 14 provides project management services relating to a capital
2 15 project.
2 16 (2) Of the amount appropriated in this lettered paragraph,
2 17 \$200,000 may be used for costs associated with the vertical
2 18 infrastructure program, notwithstanding section 8.57,

2 19 subsection 5, paragraph "c".
 2 20 e. For costs associated with the remodeling of the records
 2 21 and property center:
 2 22 FY 2004=2005..... \$ 5,000,000
 2 23 FY 2005=2006..... \$ 4,700,000
 2 24 f. For accent lighting systems for the soldiers and
 2 25 sailors monument and the Allison monument on the capitol
 2 26 complex:
 2 27 FY 2004=2005..... \$ 35,000
 2 28 g. For capitol interior restoration:
 2 29 FY 2004=2005..... \$ 1,770,000
 2 30 h. For costs associated with maintenance and operation of
 2 31 the state laboratories facility located in Ankeny,
 2 32 notwithstanding section 8.57, subsection 5, paragraph "c":
 2 33 FY 2004=2005..... \$ 355,500
 2 34 2. DEPARTMENT FOR THE BLIND
 2 35 For the remodeling of the orientation center:
 3 1 FY 2004=2005..... \$ 67,000
 3 2 3. STATE BOARD OF REGENTS
 3 3 For maintenance at the Iowa school for the deaf and the
 3 4 Iowa braille and sight saving school:
 3 5 FY 2004=2005..... \$ 500,000
 3 6 4. DEPARTMENT OF CORRECTIONS
 3 7 a. For costs of entering into a lease-purchase agreement
 3 8 to connect the electrical system supporting the special needs
 3 9 unit at Fort Madison:
 3 10 FY 2004=2005..... \$ 333,168
 3 11 b. For construction of a community-based correctional
 3 12 facility, including district offices, in Davenport:
 3 13 FY 2004=2005..... \$ 3,000,000
 3 14 FY 2005=2006..... \$ 3,750,000
 3 15 FY 2006=2007..... \$ 3,750,000
 3 16 It is the intent of the general assembly that the
 3 17 department of management allocate the entire appropriation for
 3 18 the fiscal year beginning July 1, 2006, to the department of
 3 19 corrections by July 31, 2006.
 3 20 5. DEPARTMENT OF CULTURAL AFFAIRS
 3 21 a. For historical site preservation grants, to be used for
 3 22 the restoration, preservation, and development of historical
 3 23 sites:
 3 24 FY 2004=2005..... \$ 500,000
 3 25 Historical site preservation grants shall only be awarded
 3 26 for projects which meet the definition of "vertical
 3 27 infrastructure" in section 8.57, subsection 5, paragraph "c".
 3 28 In making grants pursuant to this lettered paragraph, the
 3 29 department shall consider the existence and amount of other
 3 30 funds available to an applicant for the designated project. A
 3 31 grant awarded from moneys appropriated in this lettered
 3 32 paragraph shall not exceed \$100,000 per project. Not more
 3 33 than two grants may be awarded in the same county.
 3 34 b. For continuation of the project recommended by the Iowa
 3 35 battle flag advisory committee to stabilize the condition of
 4 1 the battle flag collection, notwithstanding section 8.57,
 4 2 subsection 5, paragraph "c":
 4 3 FY 2004=2005..... \$ 100,000
 4 4 6. DEPARTMENT OF ECONOMIC DEVELOPMENT
 4 5 a. For accelerated career education program capital
 4 6 projects at community colleges that are authorized under
 4 7 chapter 260G and that meet the definition of "vertical
 4 8 infrastructure" in section 8.57, subsection 5, paragraph "c":
 4 9 FY 2004=2005..... \$ 5,500,000
 4 10 The moneys appropriated in this paragraph shall be
 4 11 allocated equally among the community colleges in the state.
 4 12 If any portion of the equal allocation to a community college
 4 13 is not obligated or encumbered by April 1, 2005, the
 4 14 unobligated and unencumbered portions shall be available for
 4 15 use by other community colleges.
 4 16 b. For costs associated with Iowa's hosting of the
 4 17 national special Olympics, notwithstanding section 8.57,
 4 18 subsection 5, paragraph "c":
 4 19 FY 2004=2005..... \$ 500,000
 4 20 c. To provide a grant for the planning, design, and
 4 21 construction of a not-for-profit family recreational facility
 4 22 that will also include a cardiac rehabilitation center and a
 4 23 family indoor aquatic center:
 4 24 FY 2004=2005..... \$ 200,000
 4 25 7. DEPARTMENT OF EDUCATION
 4 26 a. To provide resources for structural and technological
 4 27 improvements to local libraries and for the enrich Iowa
 4 28 program, notwithstanding section 8.57, subsection 5, paragraph
 4 29 "c":

4 30 FY 2004=2005..... \$ 600,000
 4 31 Funds allocated for purposes of the enrich Iowa program as
 4 32 provided in this lettered paragraph shall be distributed by
 4 33 the division of libraries and information services to provide
 4 34 support for Iowa's libraries.
 4 35 b. For maintenance and lease costs associated with part
 5 1 III connections, notwithstanding section 8.57, subsection 5,
 5 2 paragraph "c":
 5 3 FY 2004=2005..... \$ 2,727,000
 5 4 c. For costs associated with the remodeling of the Jessie
 5 5 Parker building:
 5 6 FY 2004=2005..... \$ 303,632
 5 7 d. For allocation to the public broadcasting division for
 5 8 costs of installation of digital and analog television for
 5 9 Iowa public television facilities, notwithstanding section
 5 10 8.57, subsection 5, paragraph "c":
 5 11 FY 2004=2005..... \$ 8,000,000
 5 12 FY 2005=2006..... \$ 8,000,000
 5 13 FY 2006=2007..... \$ 2,300,000
 5 14 8. OFFICE OF THE GOVERNOR
 5 15 For terrace hill quarters, to supplement the
 5 16 appropriation made for this purpose in 2004 Iowa Acts,
 5 17 Senate File 2298, Division I, if enacted,
 5 18 notwithstanding section 8.57, subsection 5, paragraph
 5 19 "c":
 5 20 FY 2004=2005..... \$ 100,000
 5 21 9. DEPARTMENT OF HUMAN SERVICES
 5 22 To provide a grant for the planning, design, and
 5 23 construction of a residential treatment facility for youth
 5 24 with emotional and behavioral disorders located in a central
 5 25 Iowa county with a population of approximately 80,000:
 5 26 FY 2004=2005..... \$ 250,000
 5 27 10. IOWA STATE FAIR AUTHORITY
 5 28 For vertical infrastructure projects on the state
 5 29 fairgrounds:
 5 30 FY 2004=2005..... \$ 250,000
 5 31 For purposes of this subsection, "vertical infrastructure"
 5 32 means the same as defined in section 8.57, subsection 5,
 5 33 paragraph "c".
 5 34 11. NATIONAL PROGRAM FOR PLAYGROUND SAFETY AT THE
 5 35 UNIVERSITY OF NORTHERN IOWA
 6 1 For the Iowa safe surfacing initiative, notwithstanding
 6 2 section 8.57, subsection 5, paragraph "c":
 6 3 \$ 500,000
 6 4 Not more than 2.5 percent of the funds appropriated in this
 6 5 subsection shall be used by the national program for
 6 6 playground safety for administrative costs associated with the
 6 7 Iowa safe surfacing initiative.
 6 8 The crumb rubber playground tiles for the initiative shall
 6 9 be international play equipment manufacturers association
 6 10 (IPEMA)=certified to the American society for testing and
 6 11 materials (ASTM) F1292 standard.
 6 12 12. DEPARTMENT OF NATURAL RESOURCES
 6 13 For costs associated with the planning, design, and
 6 14 construction of a premier destination state park,
 6 15 notwithstanding section 8.57, subsection 5, paragraph "c":
 6 16 FY 2004=2005..... \$ 500,000
 6 17 13. DEPARTMENT OF PUBLIC DEFENSE
 6 18 a. For planning, design, and construction of a national
 6 19 guard readiness center in or near Iowa City:
 6 20 FY 2004=2005..... \$ 2,150,000
 6 21 b. For maintenance and repair of national guard armories
 6 22 and facilities:
 6 23 FY 2004=2005..... \$ 1,269,636
 6 24 c. For construction of a new national guard armory at
 6 25 Boone:
 6 26 FY 2004=2005..... \$ 1,096,000
 6 27 14. IOWA DEPARTMENT OF PUBLIC HEALTH
 6 28 For treatment of addictive disorders, to be utilized for
 6 29 the benefit of persons with addictions, notwithstanding
 6 30 section 8.57, subsection 5, paragraph "c":
 6 31 FY 2004=2005..... \$ 1,690,000
 6 32 It is the intent of the general assembly that from the
 6 33 moneys appropriated in this subsection, persons with a dual
 6 34 diagnosis of substance abuse and gambling addictions shall be
 6 35 given priority in treatment services.
 7 1 15. DEPARTMENT OF PUBLIC SAFETY
 7 2 a. For capitol building and judicial building security,
 7 3 notwithstanding section 8.57, subsection 5, paragraph "c":
 7 4 FY 2004=2005..... \$ 800,000
 7 5 b. To develop a capitol complex card access system, or

7 6 expand the current capitol building card access system,
 7 7 through a competitive process, in order to provide a card
 7 8 access system for the buildings and controlled-access parking
 7 9 lots on the capitol complex that has complex-wide
 7 10 compatibility, notwithstanding section 8.57, subsection 5,
 7 11 paragraph "c":
 7 12 FY 2004=2005..... \$ 650,000
 7 13 c. For costs of entering into a lease-purchase agreement
 7 14 to upgrade the automated fingerprint identification system,
 7 15 notwithstanding section 8.57, subsection 5, paragraph "c":
 7 16 FY 2004=2005..... \$ 550,000
 7 17 d. For costs associated with improvements to Iowa's
 7 18 electronic criminal information records system to comply with
 7 19 national crime information center standards, notwithstanding
 7 20 section 8.57, subsection 5, paragraph "c":
 7 21 FY 2004=2005..... \$ 500,000
 7 22 e. To the division of fire safety of the department for
 7 23 allocation to the fire service training bureau for the
 7 24 planning, design, and construction of regional training
 7 25 facilities in the state:
 7 26 FY 2004=2005..... \$ 150,000
 7 27 f. To the division of fire safety of the department for
 7 28 allocation to the fire service training bureau to be used for
 7 29 the revolving loan program for equipment purchases by local
 7 30 fire departments, not withstanding section 8.57, subsection 5,
 7 31 paragraph "c":
 7 32 FY 2004=2005..... \$ 500,000
 7 33 16. STATE DEPARTMENT OF TRANSPORTATION
 7 34 a. For operation and maintenance of the network of
 7 35 automated weather observation and data transfer systems
 8 1 associated with the Iowa aviation weather system, the runway
 8 2 marking program for public airports, the windsock program for
 8 3 public airports, and the aviation improvement program,
 8 4 notwithstanding section 8.57, subsection 5, paragraph "c":
 8 5 FY 2004=2005..... \$ 500,000
 8 6 b. For vertical infrastructure improvements at the
 8 7 commercial air service airports within the state:
 8 8 FY 2004=2005..... \$ 1,100,000
 8 9 One-half of the funds appropriated in this lettered
 8 10 paragraph shall be allocated equally between each commercial
 8 11 service airport, 40 percent of the funds shall be allocated
 8 12 based on the percentage that the number of enplaned passengers
 8 13 at each commercial service airport bears to the total number
 8 14 of enplaned passengers in the state during the previous fiscal
 8 15 year, and 10 percent of the funds shall be allocated based on
 8 16 the percentage that the air cargo tonnage at each commercial
 8 17 service airport bears to the total air cargo tonnage in the
 8 18 state during the previous fiscal year. In order for a
 8 19 commercial service airport to receive funding under this
 8 20 lettered paragraph, the airport shall be required to submit
 8 21 applications for funding of specific projects to the
 8 22 department for approval by the state transportation
 8 23 commission.
 8 24 c. For a vertical infrastructure improvement grant program
 8 25 for improvements at general aviation airports within the
 8 26 state:
 8 27 FY 2004=2005..... \$ 581,400
 8 28 17. OFFICE OF TREASURER OF STATE
 8 29 a. For county fair infrastructure improvements for
 8 30 distribution in accordance with chapter 174 to qualified fairs
 8 31 which belong to the association of Iowa fairs:
 8 32 FY 2004=2005..... \$ 1,060,000
 8 33 b. For deposit in the vision Iowa fund, to be used for the
 8 34 vision Iowa program, notwithstanding section 8.57, subsection
 8 35 5, paragraph "c":
 9 1 FY 2004=2005..... \$ 2,000,000
 9 2 c. For deposit in the community attraction and tourism
 9 3 fund, to be used for the community attraction and tourism
 9 4 program, notwithstanding section 8.57, subsection 5, paragraph
 9 5 "c":
 9 6 FY 2004=2005..... \$ 2,000,000
 9 7 18. COMMISSION OF VETERANS AFFAIRS
 9 8 For deposit in the veterans trust fund established in
 9 9 section 35A.13, notwithstanding section 8.57, subsection 5,
 9 10 paragraph "c":
 9 11 FY 2004=2005..... \$ 1,000,000
 9 12 Sec. 2. PAYMENTS IN LIEU OF TUITION. There is
 9 13 appropriated from the rebuild Iowa infrastructure fund to the
 9 14 state board of regents for the fiscal year beginning July 1,
 9 15 2004, and ending June 30, 2005, the following amount, or so
 9 16 much thereof as may be necessary, to be used for the purpose

9 17 designated:
9 18 For allocation by the state board of regents to the state
9 19 university of Iowa, the Iowa state university of science and
9 20 technology, and the university of northern Iowa to reimburse
9 21 the institutions for deficiencies in their operating funds
9 22 resulting from the pledging of tuitions, student fees and
9 23 charges, and institutional income to finance the cost of
9 24 providing academic and administrative buildings and facilities
9 25 and utility services at the institutions, notwithstanding
9 26 section 8.57, subsection 5, paragraph "c":

9 27 \$ 858,764
9 28 Sec. 3. REVERSION. Notwithstanding section 8.33, moneys
9 29 appropriated in sections 1 and 2 of this division of this Act
9 30 shall not revert at the close of the fiscal year for which
9 31 they were appropriated but shall remain available for the
9 32 purposes designated until the close of the fiscal year that
9 33 begins July 1, 2007, or until the project for which the
9 34 appropriation was made is completed, whichever is earlier.

9 35 Sec. 4. 2003 Iowa Acts, chapter 177, section 6, subsection
10 1 2, is amended to read as follows:

10 2 2. For costs associated with the ~~planning for the vacation~~
10 3 ~~and demolition disposition~~ of the Wallace building:

10 4 \$ 50,000
10 5 The amount appropriated in this subsection shall be used to
10 6 conduct a complete evaluation and analysis regarding the
10 7 condition of the Wallace building and to make a recommendation
10 8 to the general assembly no later than January 31, 2005, as to
10 9 whether the Wallace building should be renovated for future
10 10 use or vacated and demolished. The recommendation shall
10 11 include cost estimates for renovation of the building and for
10 12 its demolition.

10 13 Sec. 5. 2003 Iowa Acts, chapter 177, section 14, is
10 14 amended to read as follows:

10 15 SEC. 14. REVERSION. Notwithstanding section 8.33, moneys
10 16 appropriated in this division of this Act shall not revert at
10 17 the close of the fiscal year for which they were appropriated
10 18 but shall remain available for the purposes designated until
10 19 the close of the fiscal year that begins July 1, ~~2006~~ 2007, or
10 20 until the project for which the appropriation was made is
10 21 completed, whichever is earlier.

10 22 Sec. 6. 2003 Iowa Acts, chapter 179, section 140, is
10 23 amended to read as follows:

10 24 SEC. 140. Notwithstanding section 8.33, unencumbered and
10 25 unobligated funds remaining from the appropriation made in
10 26 1996 Iowa Acts, chapter 1218, section 13, subsection 2,
10 27 paragraph "a", subparagraph (2), as amended by 1997 Iowa Acts,
10 28 chapter 215, section 3, and from the appropriation made in
10 29 1997 Iowa Acts, chapter 215, section 4, subsection 1, shall
10 30 not revert but shall be available for the purposes designated
10 31 in those provisions until the close of the fiscal year
10 32 beginning July 1, ~~2003~~ 2004.

10 33 Of the amount of unencumbered and unobligated funds
10 34 identified in this section, \$180,000 shall be used for the
10 35 purposes described in 2003 Iowa Acts, chapter 177, section 6,
11 1 subsection 2, as amended by this 2004 Act.

11 2 Sec. 7. 2002 Iowa Acts, chapter 1173, section 18, as
11 3 amended by 2003 Iowa Acts, chapter 179, section 39, is amended
11 4 to read as follows:

11 5 SEC. 18. POOLED TECHNOLOGY FUNDING == PRIOR ALLOCATIONS ==
11 6 NONREVERSION. Notwithstanding section 8.33, moneys
11 7 appropriated and allocated in 2001 Iowa Acts, chapter 189,
11 8 section 5, subsection 1, which remain unobligated or
11 9 unexpended at the close of the fiscal year for which they were
11 10 appropriated shall not revert, but shall remain available for
11 11 expenditure for the purposes for which they were appropriated
11 12 and allocated, for the fiscal period beginning July 1, 2002,
11 13 and ending June 30, ~~2004~~ 2005. Notwithstanding the
11 14 expenditure limitation in this section, the information
11 15 technology enterprise within the department of administrative
11 16 services may expend available moneys in the pooled technology
11 17 account established in the office of the treasurer of state to
11 18 complete the comprehensive study required under 2003 Iowa
11 19 Acts, chapter 145, section 290, subsection 2, paragraph "c".
11 20 Of the available moneys in the pooled technology account,
11 21 \$100,000 shall be transferred to the department of economic
11 22 development for the fiscal year beginning July 1, 2004, to be
11 23 used for the Iowa Lewis and Clark bicentennial commission
11 24 established pursuant to section 15.221.

11 25 Sec. 8. 2000 Iowa Acts, chapter 1225, section 2, as
11 26 amended by 2001 Iowa Acts, chapter 185, section 2, is amended
11 27 to read as follows:

11 28 SEC. 2. There is appropriated from the rebuild Iowa
11 29 infrastructure fund to the department of corrections for the
11 30 fiscal year beginning July 1, 2000, and ending June 30, 2001,
11 31 the following amounts, or so much thereof as is necessary, to
11 32 be used for the purposes designated:

11 33 1. To supplement funds appropriated in 1998 Iowa Acts,
11 34 chapter 1219, section 2, subsection 3, for construction of a
11 35 200-bed facility at the Iowa state penitentiary at Fort
12 1 Madison:

12 2 \$ 3,000,000

12 3 2. For community-based corrections projects:
12 4 \$ 900,000

12 5 The first \$300,000 of the amount appropriated in this
12 6 subsection shall be allocated for community-based corrections
12 7 projects in Council Bluffs. The next \$600,000 of the amount
12 8 appropriated in this subsection shall be allocated for
12 9 community-based corrections projects in the judicial district
12 10 in which the city of Davenport is located. These moneys may
12 11 be used by the department to enter into lease-purchasing
12 12 agreements or the payment of rent for such projects.

12 13 Notwithstanding section 8.33 and section 20 of this Act,
12 14 moneys appropriated in subsection 2 that remain unencumbered
12 15 or unobligated at the close of the fiscal year that begins
12 16 July 1, 2003, shall revert at the close of the fiscal year
12 17 that begins July 1, 2006. However, if the projects for which
12 18 the moneys are appropriated are completed in an earlier fiscal
12 19 year, unencumbered or unobligated moneys shall revert at the
12 20 close of that fiscal year.

12 21 Sec. 9. 2000 Iowa Acts, chapter 1225, section 19,
12 22 unnumbered paragraph 2, is amended to read as follows:

12 23 To supplement moneys appropriated in prior fiscal years for
12 24 construction of a new dining hall and food services facility
12 25 and renovation of the former Sheeler food preparation area:
12 26 \$ 992,000

12 27 Sec. 10. 2000 Iowa Acts, chapter 1225, section 20, is
12 28 amended to read as follows:

12 29 SEC. 20. REVERSION. Notwithstanding section 8.33, moneys
12 30 appropriated in this division of this Act that remain
12 31 unencumbered or unobligated at the close of the fiscal year
12 32 that begins July 1, ~~2003~~ 2004, shall revert at the close of
12 33 that fiscal year. However, if the projects for which the
12 34 moneys are appropriated are completed in an earlier fiscal
12 35 year, unencumbered or unobligated moneys shall revert at the
13 1 close of that fiscal year.

13 2 Sec. 11. GAMBLING TREATMENT FUND APPROPRIATION == REPEAL.
13 3 The section of 2004 Iowa Acts, Senate File 2298, appropriating
13 4 moneys from the gambling treatment fund to the Iowa department
13 5 of public health, if enacted, is repealed.

13 6 Sec. 12. Notwithstanding section 11.5B, for the fiscal
13 7 year beginning July 1, 2003, and ending June 30, 2004, the
13 8 auditor of state shall not be entitled to reimbursement for
13 9 performing any examination of the department of administrative
13 10 services or funds received by the department of administrative
13 11 services, except for an examination of the information
13 12 technology enterprise within the department of administrative
13 13 services and funds received by the information technology
13 14 enterprise.

13 15 Sec. 13. Sections 4, 6, 7, 8, 9, 10, and 12 of this
13 16 division of this Act, being deemed of immediate importance,
13 17 take effect upon enactment.

13 18 DIVISION II

13 19 ENVIRONMENT FIRST FUND

13 20 Sec. 14. There is appropriated from the environment first
13 21 fund to the following departments and agencies for the fiscal
13 22 year beginning July 1, 2004, and ending June 30, 2005, the
13 23 following amounts, or so much thereof as is necessary, to be
13 24 used for the purposes designated:

13 25 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
13 26 a. For the conservation reserve enhancement program to
13 27 restore and construct wetlands for the purposes of
13 28 intercepting tile line runoff, reducing nutrient loss,
13 29 improving water quality, and enhancing agricultural production
13 30 practices:
13 31 \$ 1,500,000

13 32 Not more than 5 percent of the moneys appropriated in this
13 33 lettered paragraph may be used for costs of administration and
13 34 implementation of soil and water conservation practices.

13 35 b. For continuation of a program that provides
14 1 multiobjective resource protections for flood control, water
14 2 quality, erosion control, and natural resource conservation:
14 3 \$ 2,700,000

14 4 Not more than 5 percent of the moneys appropriated in this
 14 5 lettered paragraph may be used for costs of administration and
 14 6 implementation of soil and water conservation practices.
 14 7 c. For continuation of a statewide voluntary farm
 14 8 management demonstration program to demonstrate the
 14 9 effectiveness and adaptability of emerging practices in
 14 10 agronomy that protect water resources and provide other
 14 11 environmental benefits:
 14 12 \$ 850,000
 14 13 Not more than 5 percent of the moneys appropriated in this
 14 14 lettered paragraph may be used for costs of administration and
 14 15 implementation of soil and water conservation practices.
 14 16 Of the amount appropriated in this lettered paragraph,
 14 17 \$400,000 shall be allocated to the Iowa soybean association's
 14 18 agriculture and environment performance program.
 14 19 d. For deposit in the alternative drainage system
 14 20 assistance fund created in section 460.303 to be used for
 14 21 purposes of supporting the alternative drainage system
 14 22 assistance program as provided in section 460.304:
 14 23 \$ 500,000
 14 24 Not more than 5 percent of the moneys appropriated in this
 14 25 lettered paragraph may be used for costs of administration and
 14 26 implementation of soil and water conservation practices.
 14 27 e. To provide financial assistance for the establishment
 14 28 of permanent soil and water conservation practices:
 14 29 \$ 5,500,000
 14 30 (1) Not more than 5 percent of the moneys appropriated in
 14 31 this lettered paragraph may be allocated for cost-sharing to
 14 32 abate complaints filed under section 161A.47.
 14 33 (2) Of the moneys appropriated in this lettered paragraph,
 14 34 5 percent shall be allocated for financial incentives to
 14 35 establish practices to protect watersheds above publicly owned
 15 1 lakes of the state from soil erosion and sediment as provided
 15 2 in section 161A.73.
 15 3 (3) Not more than 30 percent of a district's allocation of
 15 4 moneys as financial incentives may be provided for the purpose
 15 5 of establishing management practices to control soil erosion
 15 6 on land that is row-cropped, including but not limited to no=
 15 7 till planting, ridge-till planting, contouring, and contour
 15 8 strip-cropping as provided in section 161A.73.
 15 9 (4) The state soil conservation committee created in
 15 10 section 161A.4 may allocate moneys appropriated in this
 15 11 lettered paragraph to conduct research and demonstration
 15 12 projects to promote conservation tillage and nonpoint source
 15 13 pollution control practices.
 15 14 (5) The financial incentive payments may be used in
 15 15 combination with department of natural resources moneys.
 15 16 (6) Not more than 10 percent of the moneys appropriated in
 15 17 this lettered paragraph may be used for costs of
 15 18 administration and implementation of soil and water
 15 19 conservation practices.
 15 20 f. To encourage and assist farmers in enrolling in and the
 15 21 implementation of federal conservation programs and work with
 15 22 them to enhance their revegetation efforts to improve water
 15 23 quality and habitat:
 15 24 \$ 2,000,000
 15 25 Not more than 5 percent of the moneys appropriated in this
 15 26 lettered paragraph may be used for costs of administration and
 15 27 implementation of soil and water conservation practices.
 15 28 g. For deposit in the loess hills development and
 15 29 conservation fund created in section 161D.2:
 15 30 \$ 600,000
 15 31 Of the amount appropriated in this lettered paragraph,
 15 32 \$400,000 shall be allocated to the hungry canyons account and
 15 33 \$200,000 shall be allocated to the loess hills alliance
 15 34 account, to be used for the purposes for which the moneys in
 15 35 those accounts are authorized to be used under chapter 161D.
 16 1 No more than 5 percent of the moneys allocated to each account
 16 2 in this lettered paragraph may be used for administrative
 16 3 costs.
 16 4 h. For deposit in the southern Iowa development and
 16 5 conservation fund created in section 161D.12:
 16 6 \$ 300,000
 16 7 No more than 5 percent of the moneys appropriated in this
 16 8 lettered paragraph may be used for administrative costs.
 16 9 2. DEPARTMENT OF ECONOMIC DEVELOPMENT
 16 10 For deposit in the brownfield redevelopment fund created in
 16 11 section 15.293 to provide assistance under the brownfield
 16 12 redevelopment program:
 16 13 \$ 500,000
 16 14 3. DEPARTMENT OF NATURAL RESOURCES

16 15 a. To provide local watershed managers with geographic
16 16 information system data for their use in developing,
16 17 monitoring, and displaying results of their watershed work:
16 18 \$ 195,000
16 19 b. For statewide coordination of volunteer efforts under
16 20 the water quality and keepers of the land programs:
16 21 \$ 100,000
16 22 c. For continuing the establishment and operation of water
16 23 quality monitoring stations:
16 24 \$ 2,955,000
16 25 d. For deposit in the administration account of the water
16 26 quality protection fund, to carry out the purposes of that
16 27 account:
16 28 \$ 500,000
16 29 e. For air quality monitoring equipment:
16 30 \$ 500,000
16 31 f. For the dredging of lakes, including necessary
16 32 preparation for dredging, in accordance with the department's
16 33 classification of Iowa lakes restoration report:
16 34 \$ 1,000,000
16 35 The department shall consider the following criteria for
17 1 funding lake dredging projects as provided in this lettered
17 2 paragraph, and shall prioritize projects based on the
17 3 following:
17 4 (1) Documented efforts to address watershed protection,
17 5 considering testing, conservation efforts, and amount of time
17 6 devoted to watershed protection.
17 7 (2) Protection of a natural resource and natural habitat.
17 8 (3) Percentage of public access and undeveloped lakefront
17 9 property.
17 10 (4) Continuation of current projects partially funded by
17 11 state resources to achieve department recommendations.
17 12 g. For purposes of funding capital projects for the
17 13 purposes specified in section 452A.79, and for expenditures
17 14 for the local cost share grants to be used for capital
17 15 expenditures to local governmental units for boating
17 16 accessibility:
17 17 \$ 2,300,000
17 18 h. For regular maintenance of state parks and staff time
17 19 associated with these activities:
17 20 \$ 2,000,000
17 21 RESOURCES ENHANCEMENT AND PROTECTION FUND
17 22 Sec. 15. Notwithstanding the amount of the standing
17 23 appropriation from the general fund of the state under section
17 24 455A.18, subsection 3, there is appropriated from the
17 25 environment first fund to the Iowa resources enhancement and
17 26 protection fund, in lieu of the appropriation made in section
17 27 455A.18, for the fiscal year beginning July 1, 2004, and
17 28 ending June 30, 2005, the following amount, to be allocated as
17 29 provided in section 455A.19:
17 30 \$ 11,000,000
17 31 Sec. 16. REVERSION.
17 32 1. Except as provided in subsection 2, and notwithstanding
17 33 section 8.33, moneys appropriated in this division of this Act
17 34 that remain unencumbered or unobligated shall not revert at
17 35 the close of the fiscal year for which they were appropriated
18 1 but shall remain available for the purposes designated until
18 2 the close of the fiscal year beginning July 1, 2005, or until
18 3 the project for which the appropriation was made is completed,
18 4 whichever is earlier.
18 5 2. Notwithstanding section 8.33, moneys appropriated in
18 6 this division of this Act to the department of agriculture and
18 7 land stewardship to provide financial assistance for the
18 8 establishment of permanent soil and water conservation
18 9 practices that remain unencumbered or unobligated at the close
18 10 of the fiscal year shall not revert but shall remain available
18 11 for expenditure for the purposes designated until the close of
18 12 the fiscal year that begins July 1, 2007.
18 13 DIVISION III
18 14 TOBACCO SETTLEMENT TRUST FUND
18 15 Sec. 17. There is appropriated from the tax-exempt bond
18 16 proceeds restricted capital funds account of the tobacco
18 17 settlement trust fund to the following departments and
18 18 agencies for the fiscal year beginning July 1, 2004, and
18 19 ending June 30, 2005, the following amounts, or so much
18 20 thereof as is necessary, to be used for the purposes
18 21 designated:
18 22 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
18 23 a. For the payment of claims relating to the purchase and
18 24 implementation of an integrated information for Iowa system,
18 25 notwithstanding section 12E.12, subsection 1, paragraph "b",

18 26 subparagraph (1):
18 27 \$ 6,049,284
18 28 b. For capitol interior restoration:
18 29 \$ 3,500,000
18 30 2. TAX-EXEMPT STATUS == USE OF APPROPRIATIONS. Payment of
18 31 moneys from the appropriations in this section shall be made
18 32 in a manner that does not adversely affect the tax-exempt
18 33 status of any outstanding bonds issued by the tobacco
18 34 settlement authority.
18 35 3. REVERSION. Notwithstanding section 8.33, moneys
19 1 appropriated in this section shall not revert at the close of
19 2 the fiscal year for which they were appropriated but shall
19 3 remain available for the purposes designated until the close
19 4 of the fiscal year that begins July 1, 2006, or until the
19 5 project for which the appropriation was made is completed,
19 6 whichever is earlier.
19 7 Sec. 18. PAYMENTS IN LIEU OF TUITION. There is
19 8 appropriated from the tax-exempt bond proceeds restricted
19 9 capital funds account of the tobacco settlement trust fund of
19 10 the state to the state board of regents for the fiscal year
19 11 beginning July 1, 2004, and ending June 30, 2005, the
19 12 following amount, or so much thereof as is necessary, to be
19 13 used for the purpose designated:
19 14 For allocation by the state board of regents to the state
19 15 university of Iowa, the Iowa state university of science and
19 16 technology, and the university of northern Iowa to reimburse
19 17 the institutions for deficiencies in their operating funds
19 18 resulting from the pledging of tuitions, student fees and
19 19 charges, and institutional income to finance the cost of
19 20 providing academic and administrative buildings and facilities
19 21 and utility services at the institutions, notwithstanding
19 22 section 12E.12, subsection 1, paragraph "b", subparagraph (1):
19 23 \$ 10,437,174
19 24 Sec. 19. IOWA COMMUNICATIONS NETWORK DEBT SERVICE. There
19 25 is appropriated from the tax-exempt bond proceeds restricted
19 26 capital funds account of the tobacco settlement trust fund to
19 27 the office of the treasurer of state for the fiscal year
19 28 beginning July 1, 2004, and ending June 30, 2005, the
19 29 following amount, or so much thereof as is necessary, to be
19 30 used for the purpose designated:
19 31 For debt service for the Iowa communications network,
19 32 notwithstanding section 12E.12, subsection 1, paragraph "b",
19 33 subparagraph (1):
19 34 \$ 13,039,778
19 35 Funds appropriated in this section shall be deposited in a
20 1 separate fund established in the office of the treasurer of
20 2 state to be used solely for debt service for the Iowa
20 3 communications network. The Iowa telecommunications and
20 4 technology commission shall certify to the treasurer of state
20 5 when a debt service payment is due, and upon receipt of the
20 6 certification, the treasurer shall make the payment. The
20 7 commission shall pay any additional amount due from funds
20 8 deposited in the Iowa communications network fund.
20 9 Sec. 20. PRISON DEBT SERVICE. There is appropriated from
20 10 the tax-exempt bond proceeds restricted capital funds account
20 11 of the tobacco settlement trust fund to the office of the
20 12 treasurer of state for the fiscal year beginning July 1, 2004,
20 13 and ending June 30, 2005, the following amount, or so much
20 14 thereof as is necessary, to be used for the purpose
20 15 designated:
20 16 For repayment of prison infrastructure bonds under section
20 17 16.177, notwithstanding section 12E.12, subsection 1,
20 18 paragraph "b", subparagraph (1):
20 19 \$ 5,413,324
20 20 Sec. 21. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER
20 21 TO REBUILD IOWA INFRASTRUCTURE FUND. Notwithstanding 2001
20 22 Iowa Acts, chapter 174, section 1, subsection 1, as amended by
20 23 2002 Iowa Acts, chapter 1167, section 4, 2002 Iowa Acts,
20 24 chapter 1174, section 8, and 2002 Iowa Acts, chapter 1175,
20 25 section 95, there is transferred from the endowment for Iowa's
20 26 health account of the tobacco settlement trust fund created in
20 27 section 12E.12 to the rebuild Iowa infrastructure fund for the
20 28 fiscal year beginning July 1, 2004, and ending June 30, 2005,
20 29 the following amount:
20 30 \$ 10,966,960
20 31 Notwithstanding section 8.33, moneys transferred in this
20 32 section shall not revert.
20 33 Sec. 22. 2003 Iowa Acts, chapter 177, section 23,
20 34 subsection 3, is amended to read as follows:
20 35 3. Notwithstanding section 8.33, moneys appropriated in
21 1 this section shall not revert at the close of the fiscal year

21 2 for which they were appropriated, but shall remain available
21 3 for the purpose designated until the close of the fiscal year
21 4 that begins July 1, ~~2008~~ 2006, or until the project for which
21 5 the appropriation was made is completed, whichever is earlier.
21 6 Sec. 23. 2003 Iowa Acts, chapter 177, section 22,
21 7 subsection 8, is amended to read as follows:
21 8 8. DEPARTMENT OF PUBLIC SAFETY
21 9 For improvements to the capitol complex security system,
21 10 notwithstanding section 12E.12, subsection 1, paragraph "b",
21 11 subparagraph (1):
21 12 \$ 1,000,000
21 13 The moneys appropriated in this subsection may be used to
21 14 develop a capitol complex card access system, or expand the
21 15 current capitol building card access system, through a
21 16 competitive process, in order to provide a card access system
21 17 for the buildings and controlled=access parking lots on the
21 18 capitol complex that has complex-wide compatibility.
21 19 Sec. 24. 2002 Iowa Acts, chapter 1173, section 1,
21 20 subsection 7, paragraph a, is amended to read as follows:
21 21 a. For parking improvements and provision of street access
21 22 for the judicial building:
21 23 FY 2002=2003 \$ 700,000
21 24 FY 2003=2004 \$ 0
21 25 FY 2004=2005 \$ 0
21 26 FY 2005=2006 \$ 0
21 27 Of the amount appropriated in this lettered paragraph for
21 28 FY 2002=2003, up to \$330,000 may be used for costs associated
21 29 with operation of the judicial building, notwithstanding
21 30 section 12E.12, subsection 1, paragraph "b", subparagraph (1).
21 31 DIVISION IV
21 32 MISCELLANEOUS FUNDS
21 33 Sec. 25. HELP AMERICA VOTE ACT. There is appropriated
21 34 from the general fund of the state to the office of the
21 35 secretary of state for the fiscal year beginning July 1, 2003,
22 1 and ending June 30, 2004, the following amount, or so much
22 2 thereof as is necessary, to be used for the purposes
22 3 designated:
22 4 For the purchase and installation of voting machines to
22 5 implement the federal Help America Vote Act (HAVA):
22 6 \$ 765,000
22 7 Of the federal funds drawn down pursuant to HAVA, not less
22 8 than 80 percent shall be distributed to counties for the
22 9 implementation of that Act.
22 10 The state commissioner of elections shall report to the
22 11 general assembly regarding the expenditure of the moneys
22 12 appropriated in this subsection by January 2, 2005, and July
22 13 1, 2005.
22 14 Notwithstanding section 8.33, moneys appropriated in this
22 15 section that remain unencumbered or unobligated at the close
22 16 of the fiscal year shall not revert but shall remain available
22 17 for expenditure for the purposes designated until the close of
22 18 the succeeding fiscal year.
22 19 Sec. 26. GENERAL FUND APPROPRIATIONS.
22 20 1. There is appropriated from the general fund of the
22 21 state to the state department of transportation for the fiscal
22 22 year beginning July 1, 2004, and ending June 30, 2005, the
22 23 following amount, or so much thereof as is necessary, to be
22 24 used for the purposes designated:
22 25 For the rail assistance program and to provide economic
22 26 development project funding:
22 27 \$ 100,751
22 28 2. There is appropriated from the general fund of the
22 29 state to the racing and gaming commission within the
22 30 department of inspections and appeals for the fiscal year
22 31 beginning July 1, 2004, and ending June 30, 2005, in addition
22 32 to any other appropriation made by the general assembly, the
22 33 following amount, or so much thereof as is necessary, to be
22 34 used for the purposes designated:
22 35 For salaries, support, maintenance, and miscellaneous
23 1 purposes for the regulation of pari=mutual racetracks:
23 2 \$ 217,161
23 3 The funds appropriated in this subsection shall be used for
23 4 one additional gaming representative at each of the three
23 5 licensed racetracks.
23 6 Sec. 27. PRIMARY ROAD FUND APPROPRIATION. There is
23 7 appropriated from the primary road fund to the department of
23 8 administrative services for the fiscal year beginning July 1,
23 9 2004, and ending June 30, 2005, the following amount, or so
23 10 much thereof as is necessary, to be used for distribution to
23 11 the state department of transportation:
23 12 \$ 465,491

23 13 Moneys appropriated in this section shall be separately
23 14 accounted for in a distribution account and shall be
23 15 distributed to the state department of transportation to pay
23 16 for services provided the state department of transportation
23 17 by the department of administrative services as described in
23 18 chapter 8A.

23 19 Sec. 28. ROAD USE TAX FUND APPROPRIATION. There is
23 20 appropriated from the road use tax fund to the department of
23 21 administrative services for the fiscal year beginning July 1,
23 22 2004, and ending June 30, 2005, the following amount, or so
23 23 much thereof as is necessary, to be used for distribution to
23 24 the state department of transportation:

23 25 \$ 76,059

23 26 Moneys appropriated in this section shall be separately
23 27 accounted for in a distribution account and shall be
23 28 distributed to the state department of transportation to pay
23 29 for services provided the state department of transportation
23 30 by the department of administrative services as described in
23 31 chapter 8A.

23 32 Sec. 29. TRANSFER AND DEPOSIT OF SURPLUS MONEYS IN LOCAL
23 33 HOUSING ASSISTANCE PROGRAM FUND. The sum of \$800,000 is
23 34 transferred from moneys declared by the Iowa finance authority
23 35 under section 16.10 to be surplus moneys to the housing trust
24 1 fund created in section 16.181 for the fiscal year beginning
24 2 July 1, 2004, and ending June 30, 2005.

24 3 Sec. 30. 2003 Iowa Acts, chapter 171, section 2, is
24 4 amended by inserting the following new unnumbered paragraph:

24 5 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
24 6 moneys appropriated in subsection 1 that remain unencumbered
24 7 or unobligated at the close of the fiscal year shall not
24 8 revert but shall remain available for expenditure until the
24 9 close of the fiscal year that begins July 1, 2004, for the
24 10 purpose of restocking the department's salt storage.

24 11 Sec. 31. DEPARTMENT OF TRANSPORTATION == PERSONNEL
24 12 SERVICES PAYMENT == REPEAL. The portion of 2004 Iowa Acts,
24 13 Senate File 2298, relating to payments by the state department
24 14 of transportation to the department of administrative services
24 15 for personnel services provided, if enacted, is repealed.

24 16 Sec. 32. EFFECTIVE DATE.

24 17 1. The section of this division of this Act providing an
24 18 appropriation for implementation of the federal Help America
24 19 Vote Act, being deemed of immediate importance, takes effect
24 20 upon enactment.

24 21 2. The section of this division of this Act, amending 2003
24 22 Iowa Acts, chapter 171, section 2, being deemed of immediate
24 23 importance, takes effect upon enactment.

24 24 DIVISION V
24 25 CODE CHANGES

24 26 Sec. 33. Section 80.9, subsection 2, paragraph f, Code
24 27 2003, is amended to read as follows:

24 28 f. Provide protection and security for persons and
24 29 property on the grounds of the state capitol complex.
24 30 Notwithstanding chapter 8A or any other provision of law, the
24 31 department shall be solely responsible for the purchase,
24 32 installation, and maintenance of, including making any
24 33 improvements or additions to, executive branch capitol complex
24 34 security systems or equipment, including the changing of locks
24 35 and issuance of keys, access cards, and identification badges.
25 1 The department of administrative services shall cooperate with
25 2 the department of public safety in executing the department's
25 3 duties under this paragraph.

25 4 DIVISION VI
25 5 MISCELLANEOUS PROVISIONS

25 6 Sec. 34. Section 8.57, subsection 5, Code Supplement 2003,
25 7 is amended by adding the following new paragraph:

25 8 NEW PARAGRAPH. g. Notwithstanding any other provision to
25 9 the contrary, and prior to the appropriation of moneys from
25 10 the rebuild Iowa infrastructure fund pursuant to paragraph
25 11 "c", and section 8.57A, subsection 4, moneys shall first be
25 12 appropriated from the rebuild Iowa infrastructure fund to the
25 13 vertical infrastructure fund as provided in section 8.57B,
25 14 subsection 4.

25 15 Sec. 35. NEW SECTION. 8.57B VERTICAL INFRASTRUCTURE
25 16 FUND.

25 17 1. A vertical infrastructure fund is created under the
25 18 authority of the department of management. The fund shall
25 19 consist of appropriations made to the fund and transfers of
25 20 interest, earnings, and moneys from other funds as provided by
25 21 law. The fund shall be separate from the general fund of the
25 22 state and the balance in the fund shall not be considered part
25 23 of the balance of the general fund of the state. However, the

25 24 fund shall be considered a special account for the purposes of
25 25 section 8.53, relating to generally accepted accounting
25 26 principles.

25 27 2. Notwithstanding section 12C.7, subsection 2, interest
25 28 or earnings on moneys in the vertical infrastructure fund
25 29 shall be credited to the rebuild Iowa infrastructure fund.

25 30 3. Moneys in the fund in a fiscal year shall be used as
25 31 appropriated by the general assembly for public vertical
25 32 infrastructure projects. For the purposes of this section,
25 33 "vertical infrastructure" includes only land acquisition and
25 34 construction, major renovation, and major repair of buildings,
25 35 all appurtenant structures, utilities, and site development.
26 1 "Vertical infrastructure" does not include routine, recurring
26 2 maintenance, debt service, or operational expenses or leasing
26 3 of a building, appurtenant structure, or utility without a
26 4 lease=purchase agreement.

26 5 4. There is appropriated from the rebuild Iowa
26 6 infrastructure fund to the vertical infrastructure fund, the
26 7 following:

26 8 a. For the fiscal year beginning July 1, 2005, and ending
26 9 June 30, 2006, the sum of twenty=five million dollars.

26 10 b. For the fiscal year beginning July 1, 2006, and ending
26 11 June 30, 2007, the sum of fifty million dollars.

26 12 c. For the fiscal year beginning July 1, 2007, and ending
26 13 June 30, 2008, the sum of seventy=five million dollars.

26 14 d. For the fiscal year beginning July 1, 2008, and each
26 15 fiscal year thereafter, the sum of one hundred million
26 16 dollars.

26 17 Sec. 36. Section 8D.13, subsection 12, Code Supplement
26 18 2003, is amended to read as follows:

26 19 12. The commission, on its own or as recommended by an
26 20 advisory committee of the commission and approved by the
26 21 commission, shall permit a fee to be charged by a receiving
26 22 site to the originator of the communication provided on the
26 23 network. The fee charged shall be for the purpose of
26 24 recovering the operating costs of a receiving site. The fee
26 25 charged shall be reduced by an amount received by the
26 26 receiving site pursuant to a state appropriation for such
26 27 costs, or federal assistance received for such costs. Fees
26 28 established under this subsection shall be paid by the
26 29 originator of the communication directly to the receiving
26 30 site. In the event that an entity requests a receiving site
26 31 location in a video classroom facility which is authorized by,
26 32 but not funded by, the originator of the communication, the
26 33 requesting entity shall be directly billed by the video
26 34 classroom facility for operating costs relating to the
26 35 communication. For purposes of this section, "operating

27 1 costs" include the costs associated with the management or
27 2 coordination, operations, utilities, classroom, equipment,
27 3 maintenance, and other costs directly related to providing the
27 4 receiving site.

27 5 Sec. 37. Section 15E.208, subsection 3, paragraph b,
27 6 subparagraph (2), Code Supplement 2003, is amended by adding
27 7 the following new subparagraph subdivisions:

27 8 NEW SUBPARAGRAPH SUBDIVISION. (c) Notwithstanding any
27 9 provision of this section or this division to the contrary,
27 10 the department shall forgive all interest on the principal
27 11 balance of the loan granted by the corporation to an eligible
27 12 person and assigned to the department pursuant to this
27 13 subparagraph during calendar year 2003, whether such interest
27 14 has accrued prior to the effective date of this Act or will
27 15 accrue on or after the effective date of this Act. In
27 16 addition, each principal payment due under the assigned loan
27 17 shall be deferred for three years from its respective payment
27 18 date.

27 19 NEW SUBPARAGRAPH SUBDIVISION. (d) This subparagraph
27 20 subdivision applies to the annual amount that the corporation
27 21 is required to repay the department pursuant to this
27 22 subparagraph and the annual amount that the department is
27 23 required to deposit into the road use tax fund pursuant to
27 24 subsection 8. That amount shall at least equal four percent
27 25 of the total amount of the Iowa agricultural industry finance
27 26 loan that the department awarded to the corporation. However,
27 27 the amount required to be repaid to the department and
27 28 deposited into the road use tax fund shall never be less than
27 29 one million dollars. The amount shall not be altered by any
27 30 financing provided to an eligible person or other transfer of
27 31 moneys made by the corporation, including but not limited to a
27 32 loan made by the corporation the assignment of which the
27 33 department has accepted pursuant to this subparagraph.

27 34 Sec. 38. Section 28M.1, if enacted by 2004 Iowa Acts,

27 35 Senate File 2284, section 1, is amended by adding the
28 1 following new subsection:
28 2 NEW SUBSECTION. 3. "Transportation" means the movement of
28 3 individuals in a four or more wheeled motorized vehicle
28 4 designed to carry passengers, including a car, van, or bus, or
28 5 the carrying of individuals upon cars operated upon stationary
28 6 rails, between one geographic point and another geographic
28 7 point. "Transportation" does not include emergency or
28 8 incidental transportation or transportation conducted by the
28 9 department of human services at its institutions.

28 10 Sec. 39. Section 28M.2, subsections 1 and 3, if enacted by
28 11 2004 Iowa Acts, Senate File 2284, section 2, are amended to
28 12 read as follows:

28 13 1. A county with a population in excess of ~~three one~~
28 14 hundred ~~seventy=five~~ thousand and participating cities may
28 15 create, by chapter 28E agreement, a regional transit district
28 16 in the county pursuant to this chapter. Two or more
28 17 contiguous counties and participating cities may create, by
28 18 chapter 28E agreement, a regional transit district pursuant to
28 19 this chapter if one of the counties has a population in excess
28 20 of ~~three one~~ hundred ~~seventy=five~~ thousand. A district shall
28 21 consist of the unincorporated area of any participating county
28 22 and the incorporated area of any city in the county that does
28 23 not have an urban transit system. However, a city without an
28 24 urban transit system may decline, by resolution forwarded to
28 25 the board of supervisors, to participate in a regional transit
28 26 district.

28 27 3. A city that is located in a nonparticipating county
28 28 that is contiguous to a county with a population in excess of
28 29 ~~three one~~ hundred ~~seventy=five~~ thousand that is creating a
28 30 regional transit district may notify that county, by
28 31 resolution forwarded to the board of supervisors of that
28 32 county, that the city wishes to participate.

28 33 Sec. 40. Section 28M.5, subsection 1, unnumbered paragraph
28 34 2, if enacted by 2004 Iowa Acts, Senate File 2284, section 5,
28 35 is amended to read as follows:

29 1 The amount of the regional transit district levy that is
29 2 the responsibility of a participating county shall be deducted
29 3 from the maximum rates of taxes authorized to be levied by the
29 4 county pursuant to section 331.423, subsections 1 and 2, as
29 5 applicable. However, for a regional transit district that
29 6 includes a county with a population of less than three hundred
29 7 thousand, the amount of the regional transit district levy
29 8 that is the responsibility of a participating county shall be
29 9 deducted from the maximum rate of taxes authorized to be
29 10 levied by the county pursuant to section 331.423, subsection
29 11 1.

29 12 Sec. 41. Section 35A.2, subsection 2, Code 2003, as
29 13 amended by 2004 Iowa Acts, Senate File 2298, if enacted, is
29 14 amended to read as follows:

29 15 2. ~~Six~~ Eight commissioners shall be honorably discharged
29 16 members of the armed forces of the United States. The
29 17 American legion of Iowa, disabled American veterans department
29 18 of Iowa, veterans of foreign wars department of Iowa, American
29 19 veterans of World War II, Korea, and Vietnam, the Vietnam
29 20 veterans of America, and the military order of the purple
29 21 heart, through their department commanders, shall submit two
29 22 names respectively from their organizations to the governor.
29 23 The adjutant general and the Iowa affiliate of the reserve
29 24 officers association shall submit names to the governor of
29 25 persons to represent the Iowa national guard and the
29 26 association. The governor shall appoint from the group of
29 27 names submitted by the adjutant general and reserve officers
29 28 association two representatives and from each of the other
29 29 organizations one representative to serve as a member of the
29 30 commission, unless the appointments would conflict with the
29 31 bipartisan and gender balance provisions of sections 69.16 and
29 32 69.16A. In addition, the governor shall appoint ~~three members~~
29 33 one member of the public, knowledgeable in the general field
29 34 of veterans affairs, to serve on the commission.

29 35 Sec. 42. Section 35D.13, subsection 2, Code 2003, as
30 1 amended by 2004 Iowa Acts, Senate File 2298, if enacted, is
30 2 amended to read as follows:

30 3 2. The commandant shall be a resident of the state of Iowa
30 4 who served in the armed forces of the United States and was
30 5 honorably discharged, and is a licensed nursing home
30 6 administrator.

30 7 Sec. 43. Section 147.1, subsection 2, paragraph c, Code
30 8 2003, is amended to read as follows:

30 9 c. "Licensed" or "certified" when applied to a physician
30 10 and surgeon, podiatric physician, osteopath, osteopathic

30 11 physician and surgeon, physician assistant, psychologist or
30 12 associate psychologist, chiropractor, nurse, dentist, dental
30 13 hygienist, optometrist, speech pathologist, audiologist,
30 14 pharmacist, physical therapist, occupational therapist,
30 15 respiratory care practitioner, practitioner of cosmetology
30 16 arts and sciences, practitioner of barbering, funeral
30 17 director, dietitian, marital and family therapist, mental
30 18 health counselor, social worker, massage therapist, athletic
30 19 trainer, ~~or~~ acupuncturist, or interpreter for the hearing
30 20 impaired, means a person licensed under this subtitle.

30 21 Sec. 44. Section 147.1, subsection 2, paragraph f, Code
30 22 2003, is amended to read as follows:

30 23 f. "Profession" means medicine and surgery, podiatry,
30 24 osteopathy, osteopathic medicine and surgery, practice as a
30 25 physician assistant, psychology, chiropractic, nursing,
30 26 dentistry, dental hygiene, optometry, speech pathology,
30 27 audiology, pharmacy, physical therapy, occupational therapy,
30 28 respiratory care, cosmetology arts and sciences, barbering,
30 29 mortuary science, marital and family therapy, mental health
30 30 counseling, social work, dietetics, massage therapy, athletic
30 31 training, ~~or~~ acupuncture, or interpreting for the hearing
30 32 impaired.

30 33 Sec. 45. Section 147.2, unnumbered paragraph 1, Code 2003,
30 34 is amended to read as follows:

30 35 A person shall not engage in the practice of medicine and
31 1 surgery, podiatry, osteopathy, osteopathic medicine and
31 2 surgery, psychology, chiropractic, physical therapy, nursing,
31 3 dentistry, dental hygiene, optometry, speech pathology,
31 4 audiology, occupational therapy, respiratory care, pharmacy,
31 5 cosmetology, barbering, social work, dietetics, marital and
31 6 family therapy or mental health counseling, massage therapy,
31 7 mortuary science, ~~or~~ acupuncture, or interpreting for the
31 8 hearing impaired, or shall not practice as a physician
31 9 assistant as defined in the following chapters of this
31 10 subtitle, unless the person has obtained from the department a
31 11 license for that purpose.

31 12 Sec. 46. Section 147.13, Code 2003, is amended by adding
31 13 the following new subsection:

31 14 NEW SUBSECTION. 21. For interpreters, interpreter for the
31 15 hearing impaired examiners.

31 16 Sec. 47. Section 147.14, Code 2003, is amended by adding
31 17 the following new subsection:

31 18 NEW SUBSECTION. 21. For interpreting for the hearing
31 19 impaired, four members licensed to practice interpreting,
31 20 three of whom shall be practicing interpreters at the time of
31 21 appointment to the board and at least one of whom is employed
31 22 in an educational setting; and three members who are consumers
31 23 of interpreting services as defined in section 154E.1, each of
31 24 whom shall be deaf. A majority of members of the board
31 25 constitutes a quorum.

31 26 Sec. 48. Section 147.74, Code Supplement 2003, is amended
31 27 by adding the following new subsection:

31 28 NEW SUBSECTION. 21A. An interpreter licensed under
31 29 chapter 154E and this chapter may use the title "licensed
31 30 interpreter" or the letters "L.I." after the person's name.

31 31 Sec. 49. Section 147.80, Code Supplement 2003, is amended
31 32 by adding the following new subsection:

31 33 NEW SUBSECTION. 28A. License to practice interpreting,
31 34 license to practice interpreting under a reciprocal license,
31 35 or renewal of a license to practice interpreting.

32 1 Sec. 50. NEW SECTION. 154E.1 DEFINITIONS.

32 2 As used in this chapter, unless the context otherwise
32 3 requires:

32 4 1. "Board" means the board of interpreter for the hearing
32 5 impaired examiners established in chapter 147.

32 6 2. "Consumer" means an individual utilizing interpreting
32 7 services who uses spoken English, American sign language, or a
32 8 manual form of English.

32 9 3. "Department" means the Iowa department of public
32 10 health.

32 11 4. "Interpreter training program" means a post-secondary
32 12 education program training individuals to interpret or
32 13 transliterate.

32 14 5. "Interpreting" means facilitating communication between
32 15 individuals who communicate via American sign language and
32 16 individuals who communicate via spoken English.

32 17 6. "Licensee" means any person licensed to practice
32 18 interpreting or transliterating for deaf, hard-of-hearing, and
32 19 hearing individuals in the state of Iowa.

32 20 7. "Transliterating" means facilitating communication
32 21 between individuals who communicate via a manual form of

32 22 English and individuals who communicate via spoken English.

32 23 Sec. 51. NEW SECTION. 154E.2 DUTIES OF THE BOARD.

32 24 The board shall administer this chapter. The board's
32 25 duties shall include, but are not limited to, the following:

32 26 1. Adopt rules consistent with this chapter and with
32 27 chapter 147 which are necessary for the performance of its
32 28 duties.

32 29 2. Act on matters concerning licensure and the process of
32 30 applying for, granting, suspending, imposing supervisory or
32 31 probationary conditions upon, reinstating, and revoking a
32 32 license.

32 33 3. Establish and collect licensure fees. The board shall
32 34 establish the amounts of license and renewal fees based upon
32 35 the actual costs of sustaining the board and the actual costs
33 1 of issuing the licenses, and all fees collected shall be
33 2 deposited with the treasurer of state who shall deposit them
33 3 in the general fund of the state.

33 4 4. Administer the provisions of this chapter regarding
33 5 documentation required to demonstrate competence as an
33 6 interpreter, and the processing of applications for licenses
33 7 and license renewals.

33 8 5. Establish and maintain as a matter of public record a
33 9 registry of interpreters licensed pursuant to this chapter.

33 10 6. Develop continuing education requirements as a
33 11 condition of license renewal.

33 12 7. Evaluate requirements for licensure in other states to
33 13 determine if reciprocity may be granted.

33 14 Sec. 52. NEW SECTION. 154E.3 REQUIREMENTS FOR LICENSURE.

33 15 On or after July 1, 2005, every person providing
33 16 interpreting or transliterating services in this state shall
33 17 be licensed pursuant to this chapter. The board shall adopt
33 18 rules pursuant to chapters 17A, 147, and 272C establishing
33 19 procedures for the licensing of new and existing interpreters.
33 20 Prior to obtaining licensure, an applicant shall successfully
33 21 pass an examination prescribed and approved by the board,
33 22 demonstrating the following:

33 23 1. VOICE-TO-SIGN INTERPRETATION. An applicant shall
33 24 demonstrate proficiency at:

33 25 a. Message equivalence, producing a true and accurate
33 26 signed form of the spoken message, maintaining the integrity
33 27 of content and meaning, and exhibiting few omissions,
33 28 substitutions, or other errors.

33 29 b. Affect, producing nonmanual grammar consistent with the
33 30 intent and emotion of the speaker, and exhibiting no
33 31 distracting mannerisms.

33 32 c. Vocabulary choice, making correct sign choices
33 33 appropriate to the setting and consumers, applying facial
33 34 grammar consistent with sign choice, selecting signs that
33 35 remain true to speaker's intent, and demonstrating lexical
34 1 variety.

34 2 d. Fluency, displaying confidence in production,
34 3 exhibiting a strong command of American sign language or
34 4 manual codes for English, applying nonmanual behaviors
34 5 consistent with the speaker's intent, and demonstrating
34 6 understanding of and sensitivity to cultural differences.

34 7 2. SIGN-TO-VOICE INTERPRETATION. An applicant shall
34 8 demonstrate proficiency at:

34 9 a. Message equivalence, producing a true and accurate
34 10 spoken form of the signed message, maintaining the integrity
34 11 of content and meaning, and exhibiting few omissions,
34 12 substitutions, or other errors.

34 13 b. Affect, producing inflection consistent with the intent
34 14 and emotion of the speaker, and exhibiting no distracting
34 15 mannerisms.

34 16 c. Vocabulary choice, making correct word choices
34 17 appropriate to the setting and consumers, using vocal
34 18 inflection consistent with word choice, selecting words that
34 19 remain true to the speaker's intent, and demonstrating lexical
34 20 variety.

34 21 d. Fluency, displaying confidence in production,
34 22 exhibiting a strong command of English in both spoken and
34 23 written forms, applying vocal inflections consistent with the
34 24 speaker's intent, and demonstrating understanding of and
34 25 sensitivity to cultural differences.

34 26 3. PROFESSIONAL CONDUCT. An applicant shall demonstrate:

34 27 a. Proficiency in functioning as a communicator of
34 28 messages between the sender and receiver, and educating
34 29 consumers of services about the functions and logistics of the
34 30 interpreting process.

34 31 b. An impartial demeanor, refraining from interjecting
34 32 opinions or advice and from aligning with one party over

34 33 another. An applicant shall treat all people fairly and
34 34 respectfully regardless of their relationship to the
34 35 interpreting assignment, and present a professional appearance
35 1 that is not visually distracting and is appropriate to the
35 2 setting. An applicant shall exhibit knowledge and application
35 3 of federal and state laws pertaining to the interpreting
35 4 profession.

35 5 c. Integrity, and shall be proficient in understanding and
35 6 applying ethical behavior appropriate for a licensee. An
35 7 applicant shall demonstrate discretion in accepting and
35 8 meeting interpreter services requests, and shall engage
35 9 actively in lifelong learning.

35 10 Sec. 53. NEW SECTION. 154E.4 EXCEPTIONS.

35 11 1. A person shall not practice interpreting or
35 12 transliterating, or represent oneself to be an interpreter,
35 13 unless the person is licensed under this chapter.

35 14 2. This chapter does not prohibit any of the following:

35 15 a. Any person residing outside of the state of Iowa
35 16 holding a current license from another state that meets the
35 17 state of Iowa's requirements from providing interpreting or
35 18 transliterating services in this state for up to fourteen days
35 19 per calendar year without a license issued pursuant to this
35 20 chapter.

35 21 b. Any person who interprets or transliterates solely in a
35 22 religious setting with the exception of those working in
35 23 schools that receive government funding.

35 24 c. Volunteers working without compensation, including
35 25 emergency situations, until a licensed interpreter is
35 26 obtained.

35 27 d. Any person working as a substitute for a licensed
35 28 interpreter in an early childhood, elementary, or secondary
35 29 education setting for no more than thirty school days in a
35 30 calendar year.

35 31 Sec. 54. Section 165B.5, subsection 3, if enacted by 2004
35 32 Iowa Acts, House File 2476, section 6, is amended to read as
35 33 follows:

35 34 3. a. A person who owns or operates a restricted
35 35 concentration point is subject to a civil penalty of ~~not less~~
~~than five thousand dollars~~ for the first violation and ~~not~~
~~less than twenty-five thousand dollars~~ for each subsequent
36 3 violation. Each day that a violation continues constitutes a
36 4 separate violation.

36 5 b. A person who has a legal interest in infected poultry
36 6 or has custody of infected poultry which are located at a
36 7 restricted concentration point is subject to a civil penalty
36 8 of ~~not less than~~ five thousand dollars for the first violation
36 9 and ~~not less than~~ twenty-five thousand dollars for each
36 10 subsequent violation. Each day that a violation continues
36 11 constitutes a separate violation.

36 12 c. A person who transports poultry to or from a restricted
36 13 concentration point is subject to a civil penalty of ~~not less~~
~~than one thousand dollars~~ for the first violation and ~~not less~~
~~than five thousand dollars~~ for each subsequent violation.
36 16 Each day that a violation continues constitutes a separate
36 17 violation.

36 18 d. A person who purchases, offers to purchase, barter, or
36 19 offers to barter for poultry at a restricted concentration
36 20 point is subject to a civil penalty of ~~not less than~~ one
36 21 hundred dollars for the first violation and ~~not less than~~ one
36 22 thousand dollars for each subsequent violation. Each day that
36 23 a violation continues constitutes a separate violation.

36 24 e. A person who charges admission for entry into a
36 25 restricted concentration point where a contest occurs or
36 26 otherwise holds, advertises, or conducts the contest is
36 27 subject to a civil penalty of ~~not less than~~ one thousand
36 28 dollars for the first violation and ~~not less than~~ five
36 29 thousand dollars for each subsequent violation. Each day that
36 30 a violation continues constitutes a separate violation.

36 31 f. A person who attends or participates in a contest at a
36 32 restricted concentration point where a contest occurs is
36 33 subject to a civil penalty of ~~not less than~~ one hundred
36 34 dollars for the first violation and ~~not less than~~ one thousand
36 35 dollars for each subsequent violation. Each day that a
37 1 violation continues constitutes a separate violation.

37 2 Sec. 55. Section 260C.18A, subsection 3, Code Supplement
37 3 2003, is amended to read as follows:

37 4 3. Of the moneys appropriated in this section, for the
37 5 fiscal period beginning July 1, 2003, and ending June 30, ~~2006~~
37 6 2007, the following amounts shall be designated for the
37 7 purposes of funding job retention projects under section
37 8 260F.9:

37 9 a. One million dollars for the fiscal year beginning July
37 10 1, 2003.
37 11 b. One million dollars for the fiscal year beginning July
37 12 1, 2004.
37 13 c. One million dollars for the fiscal year beginning July
37 14 1, 2005.
37 15 d. One million dollars for the fiscal year beginning July
37 16 1, 2006. However, this paragraph only applies if moneys
37 17 allocated under paragraph "a" were distributed to community
37 18 colleges as provided under subsection 8.

37 19 Sec. 56. Section 260C.18A, Code Supplement 2003, is
37 20 amended by adding the following new subsection:
37 21 NEW SUBSECTION. 8. If moneys allocated under subsection
37 22 3, paragraph "a", are unobligated and unencumbered on June 30,
37 23 2004, those moneys shall be distributed to community colleges
37 24 in accordance with subsection 5 for the fiscal year beginning
37 25 July 1, 2004, and ending June 30, 2005.

37 26 Sec. 57. Section 272C.1, subsection 6, Code 2003, is
37 27 amended by adding the following new paragraph:
37 28 NEW PARAGRAPH. ad. The board of interpreter for the
37 29 hearing impaired examiners, created pursuant to chapter 154E.

37 30 Sec. 58. Section 306.46, as enacted by 2004 Iowa Acts,
37 31 Senate File 2118, section 1, is amended by adding the
37 32 following new subsection:

37 33 NEW SUBSECTION. 3. This section shall not impair or
37 34 interfere with a city's authority to grant, amend, extend, or
37 35 renew a franchise as provided in section 364.2, and shall not
38 1 impair or interfere with a city's existing general police
38 2 powers to control the use of its right-of-way.

38 3 Sec. 59. NEW SECTION. 327F.38 FIRST AID AND MEDICAL
38 4 TREATMENT FOR EMPLOYEES.

38 5 The department shall adopt rules requiring railroad
38 6 corporations within the state to provide reasonable and
38 7 adequate access to first aid and medical treatment for
38 8 employees injured in the course of employment. A railroad
38 9 corporation found guilty of a rule adopted pursuant to this
38 10 section shall, upon conviction, be subject to a schedule "one"
38 11 penalty.

38 12 Sec. 60. Section 331.362, subsection 5, Code Supplement
38 13 2003, is amended to read as follows:

38 14 5. The board may enter into agreements with the department
38 15 of transportation as provided in section 313.2, including but
38 16 not limited to agreements for the disposition of county
38 17 property in accordance with section 331.361, subsection 2.

38 18 Sec. 61. Section 422.11J, subsection 5, paragraph a, if
38 19 enacted by 2004 Iowa Acts, Senate File 2295, is amended to
38 20 read as follows:

38 21 a. "Disabled student" means a child requiring special
38 22 education, as defined in section 256B.2, subsection 1, or a
38 23 student with disabilities who qualifies for educational
38 24 services under section 504 of the federal Rehabilitation Act
38 25 of 1973, as amended and codified in 29 U.S.C. } 794.

38 26 Sec. 62. 2004 Iowa Acts, Senate File 2257, section 1,
38 27 subsection 10, if enacted, is amended to read as follows:
38 28 10. APPLICABILITY DATE. This section applies to personal
38 29 insurance contracts or policies delivered, issued for
38 30 delivery, continued, or renewed in this state on or after
38 31 April 1, 2005 October 1, 2004.

38 32 Sec. 63. 2003 Iowa Acts, chapter 145, section 290,
38 33 subsection 2, paragraph c, is amended to read as follows:

38 34 c. By ~~September~~ December 1, 2004, the department of
38 35 administrative services, with the assistance of the department
39 1 of management, shall conduct a comprehensive study of the
39 2 impact of transferring all state agency employees delivering
39 3 information technology services to the department of
39 4 administrative services and of the impact of physically
39 5 merging the data centers of the department, the state
39 6 department of transportation, and the department of workforce
39 7 development, into one data center. The study shall include an
39 8 assessment of advantages and disadvantages, economies of
39 9 scale, cost, and space availability, and shall solicit input
39 10 from outside vendors, both public and private. The department
39 11 shall report to the legislative ~~fiscal bureau~~ services agency
39 12 and the committees on government oversight of the senate and
39 13 house of representatives on the department's findings and
39 14 recommendations by ~~November 1,~~ December 15, 2004.

39 15 Sec. 64. MENTAL HEALTH INSTITUTE AT CHEROKEE. If building
39 16 space located at the state mental health institute at Cherokee
39 17 being used by an organization other than the state will be
39 18 vacated by the organization, the department of human services
39 19 shall reserve the space to be available for the purposes

39 20 described in this section. The department shall develop a
39 21 plan for using vacant building space at the institute for a
39 22 program to address the treatment needs of persons with a
39 23 developmental disability who exhibit sexually violent behavior
39 24 and are residents at state resource centers or other
39 25 residential settings.

39 26 Sec. 65. INTERPRETER STANDARDS AND REGULATIONS. There is
39 27 appropriated from the general fund of the state to the Iowa
39 28 department of public health, for the fiscal year beginning
39 29 July 1, 2004, and ending June 30, 2005, the following amount,
39 30 or so much thereof as is necessary, for the purpose
39 31 designated:

39 32 For protecting the health and safety of the public through
39 33 establishing standards and enforcing regulations of
39 34 interpreters for the deaf, hard-of-hearing, and hearing, and
39 35 for not more than the following full-time equivalent

40 1 positions:
40 2\$ 60,390
40 3 FTEs 1.00

40 4 Sec. 66. 2004 Iowa Acts, Senate File 2298, section 2,
40 5 subsection 1, if enacted, is amended by striking the
40 6 subsection and inserting in lieu thereof the following:

40 7 1. There is appropriated from the general fund of the
40 8 state to the department of administrative services for the
40 9 fiscal year beginning July 1, 2004, and ending June 30, 2005,
40 10 the following amount, or so much thereof as is necessary, to
40 11 be used for the purposes designated:

40 12 For start-up funding for revolving funds under the control
40 13 of the department of administrative services and for salaries,
40 14 support, maintenance, and miscellaneous purposes:

40 15 \$ 1,889,610

40 16 Notwithstanding any provision of this section to the
40 17 contrary, the department of administrative services shall
40 18 deposit \$1,889,610 in the general fund of the state from
40 19 moneys in departmental revolving funds and internal service
40 20 funds at the end of the fiscal year.

40 21 Sec. 67. TRANSITION PROVISIONS.

40 22 1. The board of interpreter for the hearing impaired
40 23 examiners shall be provisionally established as provided in
40 24 section 147.14, as amended in this Act, effective July 1,
40 25 2004, for the sole purpose of appointment of members and
40 26 organizing, planning, and adopting rules, as described in
40 27 section 9 of this Act, which rules shall be effective July 1,
40 28 2005. The board shall become fully operational July 1, 2007,
40 29 as provided in this Act.

40 30 2. Applicants for licensure under chapter 154E who have
40 31 not passed a licensure examination approved by the board by
40 32 July 1, 2005, shall be issued a temporary license to practice
40 33 interpreting for a period of two years, commencing on July 1,
40 34 2005.

40 35 3. Applicants issued a temporary license pursuant to this
41 1 section shall pass a licensure examination approved by the
41 2 board on or before July 1, 2007, in order to remain licensed
41 3 as an interpreter.

41 4 Sec. 68. EFFECTIVE DATE. The sections of this division of
41 5 this Act providing for the licensing of interpreters by
41 6 amending chapters 147 and 272C and enacting chapter 154E take
41 7 effect July 1, 2005.

41 8 Sec. 69. EFFECTIVE DATE. The sections of this division of
41 9 this Act amending section 260C.18A, Code Supplement 2003,
41 10 being deemed of immediate importance, take effect upon
41 11 enactment.

41 12 Sec. 70. EFFECTIVE DATE. The section of this division of
41 13 this Act amending section 306.46, being deemed of immediate
41 14 importance, takes effect upon enactment.

41 15 DIVISION VII
41 16 CORRECTIVE PROVISIONS

41 17 Sec. 71. Section 9E.6A, unnumbered paragraph 1, Code 2003,
41 18 as amended by 2004 Iowa Acts, House File 2516, section 1, if
41 19 enacted, is amended to read as follows:

41 20 Each person performing a notarial act pursuant to section
41 21 9E.10 must acquire and use a stamp or seal as provided in this
41 22 chapter. However, this section shall not apply to a notarial
41 23 act performed by a judicial officer as defined in section
41 24 602.1101, if the notarial act is performed in accordance with
41 25 state or federal statutory authority, ~~or is and shall not~~
41 26 apply to a certification by a chief officer or a chief
41 27 officer's designee of a peace officer's verification of a
41 28 uniform citation and complaint pursuant to section 805.6,
41 29 subsection 5.

41 30 Sec. 72. Section 9H.1, subsection 17, Code Supplement

41 31 2003, is amended to read as follows:

41 32 17. "Limited partnership" means a limited partnership as
41 33 defined in section 487.101, ~~subsection 7, and or 488.102, or a~~
41 34 limited liability limited partnership under section 487.1301
41 35 or chapter 488, which owns or leases agricultural land or is
42 1 engaged in farming.

42 2 Sec. 73. Section 9H.1, subsection 17, Code Supplement
42 3 2003, as amended by this division of this Act to take effect
42 4 January 1, 2005, is amended to read as follows:

42 5 17. "Limited partnership" means a limited partnership as
42 6 defined in section ~~487.101 or~~ 488.102, or a limited liability
42 7 limited partnership under ~~section 487.1301 or~~ chapter 488,
42 8 which owns or leases agricultural land or is engaged in
42 9 farming.

42 10 Sec. 74. Section 10B.1, subsection 8, Code Supplement
42 11 2003, is amended to read as follows:

42 12 8. "Limited partnership" means a foreign or domestic
42 13 limited partnership, including a limited partnership as
42 14 defined in section 487.101, ~~subsection 7 or 488.102~~, and a
42 15 domestic or foreign limited liability limited partnership
42 16 under section 487.1301 or 487.1303, or chapter 488.

42 17 Sec. 75. Section 10B.1, subsection 8, Code Supplement
42 18 2003, as amended by this division of this Act to take effect
42 19 January 1, 2005, is amended to read as follows:

42 20 8. "Limited partnership" means a foreign or domestic
42 21 limited partnership, including a limited partnership as
42 22 defined in section ~~487.101 or~~ 488.102, and a domestic or
42 23 foreign limited liability limited partnership under ~~section~~
42 24 ~~487.1301 or 487.1303, or~~ chapter 488.

42 25 Sec. 76. Section 34A.7A, subsection 2, paragraph f, if
42 26 enacted by 2004 Iowa Acts, House File 2434, is amended by
42 27 striking the paragraph and inserting in lieu thereof the
42 28 following:

42 29 f. (1) The program manager shall allocate an amount up to
42 30 one hundred twenty-seven thousand dollars per calendar quarter
42 31 equally to the joint E911 service boards and the department of
42 32 public safety that have submitted an annual written request to
42 33 the program manager in a form approved by the program manager
42 34 by May 15 of each year.

42 35 (2) Upon retirement of outstanding obligations referred to
43 1 in paragraph "e", the amount allocated under this paragraph
43 2 "f" shall be an amount up to four hundred thousand dollars per
43 3 calendar quarter allocated as follows:

43 4 (a) Sixty-five percent of the total dollars available for
43 5 allocation shall be allocated in proportion to the square
43 6 miles of the service area to the total square miles in this
43 7 state.

43 8 (b) Thirty-five percent of the total dollars available for
43 9 allocation shall be allocated in proportion to the wireless
43 10 E911 calls taken at the public safety answering point in the
43 11 service area to the total number of wireless E911 calls
43 12 originating in this state.

43 13 (c) Notwithstanding subparagraph subdivisions (a) and (b),
43 14 the minimum amount allocated to each joint E911 service board
43 15 and to the department of public safety shall be no less than
43 16 one thousand dollars for each public safety answering point
43 17 within the service area of the department of public safety or
43 18 joint E911 service board.

43 19 (3) The funds allocated in this paragraph "f" shall be
43 20 used for communication equipment located inside the public
43 21 safety answering points for the implementation and maintenance
43 22 of wireless E911 phase 2. The joint E911 service boards and
43 23 the department of public safety shall provide an estimate of
43 24 phase 2 implementation costs to the program manager by January
43 25 1, 2005.

43 26 Sec. 77. Section 48A.11, subsection 1, paragraph e, Code
43 27 2003, as amended by 2004 Iowa Acts, Senate File 2269, section
43 28 8, if enacted, is amended to read as follows:

43 29 e. Iowa driver's license number if the registrant has a
43 30 current and valid Iowa driver's license, Iowa nonoperator's
43 31 identification card if the registrant has a current and valid
43 32 Iowa nonoperator's identification card, or the last four
43 33 numerals of the registrant's social security number. If the
43 34 registrant does not have an Iowa driver's license number, an
43 35 Iowa nonoperator's identification card number, or a social
44 1 security number, the form shall provide space for a number to
44 2 be assigned as provided in subsection 7.

44 3 Sec. 78. Section 48A.25A, unnumbered paragraph 1, if
44 4 enacted by 2004 Iowa Acts, Senate File 2269, section 13, is
44 5 amended to read as follows:

44 6 Upon receipt of an application for voter registration by

44 7 mail, the state registrar of voters shall compare the driver's
44 8 license number, the Iowa nonoperator's identification card
44 9 number, or the last four numerals of the social security
44 10 number provided by the registrant with the records of the
44 11 state department of transportation. To be verified, the voter
44 12 registration record shall contain the same name, date of
44 13 birth, and driver's license number or Iowa nonoperator's
44 14 identification card number or whole or partial social security
44 15 number as the records of the department of transportation. If
44 16 the information cannot be verified, the application shall be
44 17 rejected and the registrant shall be notified of the reason
44 18 for the rejection. If the information can be verified, a
44 19 record shall be made of the verification and the application
44 20 shall be accepted.

44 21 Sec. 79. Section 48A.37, subsection 2, Code 2003, as
44 22 amended by 2004 Iowa Acts, Senate File 2269, section 18, if
44 23 enacted, is amended to read as follows:

44 24 2. Electronic records shall include a status code
44 25 designating whether the records are active, inactive, local,
44 26 or pending. Inactive records are records of registered voters
44 27 to whom notices have been sent pursuant to section 48A.28,
44 28 subsection 3, and who have not returned the card or otherwise
44 29 responded to the notice, and those records have been
44 30 designated inactive pursuant to section 48A.29. Local records
44 31 are records of applicants who did not answer either "yes" or
44 32 "no" to the question in section 48A.11, subsection 2A,
44 33 paragraph "a". Pending records are records of applicants
44 34 whose applications have not been verified pursuant to section
44 35 48A.25A. All other records are active records. An inactive
45 1 record shall be made active when the registered voter votes at
45 2 an election, registers again, or reports a change of name,
45 3 address, telephone number, or political party affiliation. A
45 4 pending record shall be made active upon verification. A
45 5 local record shall be valid for any election for which no
45 6 candidates for federal office appear on the ballot, ~~but the~~
45 7 ~~A registrant may with only a local record shall~~ not vote in a
45 8 federal election unless the registrant submits a new voter
45 9 registration application before election day indicating that
45 10 the applicant is a citizen of the United States.

45 11 Sec. 80. Section 49.81, subsection 2, unnumbered paragraph
45 12 3, if enacted by 2004 Iowa Acts, Senate File 2269, section 20,
45 13 is amended to read as follows:

45 14 You must show identification before your ballot can be
45 15 counted. Please bring or mail a copy of a current and valid
45 16 photo identification card to the county ~~commissioners~~
45 17 ~~commissioner's~~ office or bring or mail a copy of one of the
45 18 following current documents that show your name and address:

45 19 Sec. 81. Section 52.7, unnumbered paragraph 4, Code 2003,
45 20 as amended by 2004 Iowa Acts, Senate File 2269, section 27, if
45 21 enacted, is amended to read as follows:

45 22 Such machine shall be so constructed as to accurately
45 23 account for every vote cast upon it. The machine shall be so
45 24 constructed as to remove information from the ballot
45 25 identifying the voter before the ballot is recorded and
45 26 counted. If the machine is a direct ~~electronic~~ recording
45 27 electronic device, the machine shall be so constructed as to
45 28 store each ballot cast separate from the ballot tabulation
45 29 function, which ballot may be reproduced on paper in the case
45 30 of a recount, manual audit, or machine malfunction.

45 31 Sec. 82. Section 53.3, subsection 7, if enacted by 2004
45 32 Iowa Acts, Senate File 2269, section 30, is amended to read as
45 33 follows:

45 34 7. A statement that an absentee ballot will ~~by~~ be mailed
45 35 to the applicant within twenty-four hours after the ballot for
46 1 the election is available.

46 2 Sec. 83. Section 53.17, subsection 1, paragraph a, if
46 3 enacted by 2004 Iowa Acts, Senate File 2269, section 33, is
46 4 amended to read as follows:

46 5 a. The sealed carrier envelope may be delivered by the
46 6 registered voter, by the special precinct election officials
46 7 designated pursuant to section 53.22, subsection 1, or by the
46 8 voter's designee if the absentee ballot is voted by a voter
46 9 described in section 53.22, subsection 5, to the
46 10 commissioner's office no later than the time the polls are
46 11 closed on election day, ~~except as otherwise provided in~~
46 12 ~~subsection 4.~~

46 13 Sec. 84. Section 53.17, subsection 4, paragraph d,
46 14 subparagraph (2), if enacted by 2004 Iowa Acts, Senate File
46 15 2269, section 33, is amended to read as follows:

46 16 (2) The date and time the ~~voted~~ completed absentee ballot
46 17 was received from the voter.

46 18 Sec. 85. Section 68A.402, subsection 7, paragraph b, as
46 19 amended by 2004 Iowa Acts, House File 2319, section 1, if
46 20 enacted, is amended to read as follows:

46 21 b. COUNTY ELECTIONS. A political committee expressly
46 22 advocating the nomination, election, or defeat of candidates
46 23 for county office shall file reports on the same dates as a
46 24 candidate's committee is required to file reports under
46 25 subsection 2, paragraph "a" and subsection 5, paragraph "b".

46 26 Sec. 86. Section 68A.503, subsection 4, unnumbered
46 27 paragraph 1, as amended by 2004 Iowa Acts, House File 2318,
46 28 section 7, if enacted, is amended to read as follows:

46 29 The prohibitions in ~~sections~~ subsections 1 and 2 shall not
46 30 apply to an insurance company, savings and loan association,
46 31 bank, credit union, or corporation engaged in any of the
46 32 following activities:

46 33 Sec. 87. Section 99B.11, subsection 2, paragraph c, Code
46 34 2003, as amended by 2004 Iowa Acts, Senate File 2249, section
46 35 1, is amended to read as follows:

47 1 c. Contests or exhibitions of cooking, horticulture,
47 2 livestock, poultry, fish or other animals, artwork, hobbywork
47 3 or craftwork, except those prohibited by chapter 717A ~~or~~
47 4 ~~section 725.11.~~

47 5 Sec. 88. Section 174.1, subsection 0B, paragraph a, as
47 6 enacted by House File 2403, section 8, is amended to read as
47 7 follows:

47 8 a. The organization owns or leases at least ten acres of
47 9 fairgrounds. ~~A society~~ An organization may meet the
47 10 requirement of owning or leasing land, buildings, and
47 11 improvements through ownership by a joint entity under chapter
47 12 28E.

47 13 Sec. 89. Section 174.12, subsection 2, unnumbered
47 14 paragraph 1, Code 2003, as amended by 2004 Iowa Acts, House
47 15 File 2403, section 16, is amended to read as follows:

47 16 A district director of the association representing the
47 17 district in which the county is located, and the director of
47 18 the Iowa state fair board representing the state fair board
47 19 district in which the county is located, certify to the
47 20 association that the fair had an accredited delegate in
47 21 attendance at at least one of the district meetings, and at
47 22 the association's annual meeting.

47 23 Sec. 90. Section 229.27, subsection 1, Code 2003, is
47 24 amended to read as follows:

47 25 1. Hospitalization of a person under this chapter, either
47 26 voluntarily or involuntarily, does not constitute a finding of
47 27 nor equate with nor raise a presumption of incompetency, nor
47 28 cause the person so hospitalized to be deemed a person of
47 29 unsound mind nor a person under legal disability for any
47 30 purpose, including but not limited to any circumstances to
47 31 which sections 6B.15, 447.7, 487.402, subsection 5, paragraph
47 32 "b", ~~section 488.603, subsection 6, paragraph "c", sections~~
47 33 ~~487.705, 488.704, 597.6, 600B.21, 614.8, 614.19, 614.22,~~
47 34 ~~614.24, 614.27, and 633.244 are applicable.~~

47 35 Sec. 91. Section 229.27, subsection 1, Code 2003, as
48 1 amended by this division of this Act to take effect January 1,
48 2 2005, is amended to read as follows:

48 3 1. Hospitalization of a person under this chapter, either
48 4 voluntarily or involuntarily, does not constitute a finding of
48 5 nor equate with nor raise a presumption of incompetency, nor
48 6 cause the person so hospitalized to be deemed a person of
48 7 unsound mind nor a person under legal disability for any
48 8 purpose, including but not limited to any circumstances to
48 9 which sections 6B.15, 447.7, ~~487.402, subsection 5, paragraph~~
48 10 ~~"b", section 488.603, subsection 6, paragraph "c", sections~~
48 11 ~~487.705, 488.704, 597.6, 600B.21, 614.8, 614.19, 614.22,~~
48 12 ~~614.24, 614.27, and 633.244 are applicable.~~

48 13 Sec. 92. Section 260C.18A, subsection 2, unnumbered
48 14 paragraph 1, Code Supplement 2003, is amended to read as
48 15 follows:

48 16 On July 1 of each year for the fiscal year beginning July
48 17 1, 2003, and for every fiscal year thereafter, moneys from the
48 18 grow Iowa values fund created in section 15G.108 are
48 19 appropriated to the department of economic development for
48 20 deposit in the workforce training and economic development
48 21 funds in amounts determined pursuant to subsection ~~3~~ 4.
48 22 Moneys deposited in the funds and disbursed to community
48 23 colleges for a fiscal year shall be expended for the following
48 24 purposes, provided seventy percent of the moneys shall be used
48 25 on projects in the areas of advanced manufacturing,
48 26 information technology and insurance, and life sciences which
48 27 include the areas of biotechnology, health care technology,
48 28 and nursing care technology:

48 29 Sec. 93. Section 280A.5, if enacted by 2004 Iowa Acts,
48 30 Senate File 2298, is amended to read as follows:

48 31 SEC. ~~280A.5~~ REPEAL.

48 32 This ~~section chapter~~ is repealed effective July 1, 2009.

48 33 Sec. 94. Section 321I.2, unnumbered paragraph 2, if
48 34 enacted by 2004 Iowa Acts, Senate File 297, section 45, is
48 35 amended to read as follows:

49 1 The director of transportation may adopt rules not
49 2 inconsistent with this chapter regulating the use of all=
49 3 terrain vehicles on streets and highways. ~~Cities may~~
~~49 4 designate streets under the jurisdiction of cities within~~
~~49 5 their respective corporate limits which may be used for the~~
~~49 6 sport of driving all-terrain vehicles.~~

49 7 Sec. 95. Section 321I.10, if enacted by 2004 Iowa Acts,
49 8 Senate File 297, section 53, is amended by adding the
49 9 following new subsection:

49 10 NEW SUBSECTION. 2A. Cities may designate streets under
49 11 the jurisdiction of cities within their respective corporate
49 12 limits which may be used for the sport of driving all-terrain
49 13 vehicles.

49 14 Sec. 96. Section 331.606B, subsection 4, paragraph a, if
49 15 enacted by 2004 Iowa Acts, Senate File 371, section 3, is
49 16 amended to read as follows:

49 17 a. A document or instrument that was signed before July 1,
49 18 ~~2004~~ 2005.

49 19 Sec. 97. Section 488.102, subsection 10, paragraph a,
49 20 subparagraph (2), as enacted by 2004 Iowa Acts, House File
49 21 2347, section 2, is amended to read as follows:

49 22 (2) A person that was a general partner in a limited
49 23 partnership when the limited partnership became subject to
49 24 this chapter under section ~~488.1206~~ 488.1204, subsection 1 or
49 25 2.

49 26 Sec. 98. Section 488.102, subsection 12, paragraph a,
49 27 subparagraph (2), as enacted by 2004 Iowa Acts, House File
49 28 2347, section 2, is amended to read as follows:

49 29 (2) A person that was a limited partner in a limited
49 30 partnership when the limited partnership became subject to
49 31 this chapter under section ~~488.1206~~ 488.1204, subsection 1 or
49 32 2.

49 33 Sec. 99. Section 488.102, subsection 13, as enacted by
49 34 2004 Iowa Acts, House File 2347, section 2, is amended to read
49 35 as follows:

50 1 13. "Limited partnership", except in the phrases "foreign
50 2 limited partnership" and "foreign limited liability limited
50 3 partnership", means an entity, having one or more general
50 4 partners and one or more limited partners, which is formed
50 5 under this chapter by two or more persons or becomes subject
50 6 to this chapter under article 11 or section ~~488.1206~~ 488.1204,
50 7 subsection 1 or 2. The term includes a limited liability
50 8 limited partnership.

50 9 Sec. 100. Section 488.202, subsection 3, unnumbered
50 10 paragraph 1, as enacted by 2004 Iowa Acts, House File 2347,
50 11 section 20, is amended to read as follows:

50 12 A general partner that knows that any information in a
50 13 filed certificate of limited partnership was false when the
50 14 certificate was filed or has become false due to changed
50 15 circumstances shall promptly do at least one of the following:

50 16 Sec. 101. Section 488.209, subsection 1, paragraph c, as
50 17 enacted by 2004 Iowa Acts, House File 2347, section 27, is
50 18 amended to read as follows:

50 19 c. Whether all fees, taxes, and penalties under this
50 20 chapter or other law due ~~to~~ the secretary of state have been
50 21 paid.

50 22 Sec. 102. Section 488.209, subsection 2, paragraph c, as
50 23 enacted by 2004 Iowa Acts, House File 2347, section 27, is
50 24 amended to read as follows:

50 25 c. Whether all fees, taxes, and penalties under this
50 26 chapter or other law due ~~to~~ the secretary of state have been
50 27 paid.

50 28 Sec. 103. Section 488.508, subsection 6, as enacted by
50 29 2004 Iowa Acts, House File 2347, section 50, is amended to
50 30 read as follows:

50 31 6. A limited partnership's indebtedness, including
50 32 indebtedness issued in connection with or as part of a
50 33 distribution, is not considered a liability for purposes of
50 34 subsection 2 if the terms of the indebtedness provide that
50 35 payment of principal and interest ~~are~~ is made only to the
51 1 extent that a distribution could then be made to partners
51 2 under this section.

51 3 Sec. 104. Section 488.703, subsection 1, as enacted by
51 4 2004 Iowa Acts, House File 2347, section 61, is amended to

51 5 read as follows:

51 6 1. On application to a court of competent jurisdiction by
51 7 any judgment creditor of a partner or transferee, the court
51 8 may charge the transferable interest of the judgment debtor
51 9 with payment of the unsatisfied amount of the judgment with
51 10 interest. To the extent so charged, the judgment creditor has
51 11 only the rights of a transferee. The court may appoint a
51 12 receiver of the share of the distributions due or to become
51 13 due ~~to~~ the judgment debtor in respect of the partnership and
51 14 make all other orders, directions, accounts, and inquiries the
51 15 judgment debtor might have made or which the circumstances of
51 16 the case may require to give effect to the charging order.

51 17 Sec. 105. Section 488.809, subsection 1, paragraph a, as
51 18 enacted by 2004 Iowa Acts, House File 2347, section 72, is
51 19 amended to read as follows:

51 20 a. Pay any fee, tax, or penalty under this chapter or
51 21 other law due ~~to~~ the secretary of state.

51 22 Sec. 106. Section 488.906, subsection 1, paragraph a, as
51 23 enacted by 2004 Iowa Acts, House File 2347, section 81, is
51 24 amended to read as follows:

51 25 a. Pay, within sixty days after the due date, any fee, tax
51 26 or penalty under this chapter or other law due ~~to~~ the
51 27 secretary of state.

51 28 Sec. 107. Section 488.1106, subsection 1, paragraph a, as
51 29 enacted by 2004 Iowa Acts, House File 2347, section 94, is
51 30 amended to read as follows:

51 31 a. The governing statute of each of the other
51 32 organizations authorizes the merger.

51 33 Sec. 108. Section 504.304, subsection 1, if enacted by
51 34 2004 Iowa Acts, Senate File 2274, section 27, is amended to
51 35 read as follows:

52 1 1. Except as provided in subsection 2, the validity of
52 2 corporate action ~~may shall~~ not be challenged on the ground
52 3 that the corporation lacks or lacked power to act.

52 4 Sec. 109. Section 504.854, subsection 3, paragraph b, if
52 5 enacted by 2004 Iowa Acts, Senate File 2274, section 104, is
52 6 amended to read as follows:

52 7 b. By the members, but the director who, at the time does
52 8 not qualify as a disinterested director, ~~may shall~~ not vote as
52 9 a member or on behalf of a member.

52 10 Sec. 110. Section 504.1422, subsection 3, if enacted by
52 11 2004 Iowa Acts, Senate File 2274, section 145, is amended to
52 12 read as follows:

52 13 3. A corporation that is administratively dissolved
52 14 continues its corporate existence but ~~may shall~~ not carry on
52 15 any activities except those necessary to wind up and liquidate
52 16 its affairs pursuant to section 504.1406 and notify its
52 17 claimants pursuant to sections 504.1407 and 504.1408.

52 18 Sec. 111. Section 614.37, Code 2003, as amended by 2004
52 19 Iowa Acts, House File 2450, section 8, if enacted, is amended
52 20 to read as follows:

52 21 614.37 LIMITATION STATUTES NOT EXTENDED.

52 22 Nothing contained in this chapter shall be construed to
52 23 extend the period for the bringing of an action or for the
52 24 doing of any other required act under any statutes of
52 25 limitations, nor, except as herein specifically provided, to
52 26 effect the operation of any statutes governing the effect of
52 27 the recording or the failure to record any instrument
52 28 affecting land. It is intended that nothing contained in this
52 29 ~~division chapter~~ be interpreted to revive or extend the period
52 30 of filing a claim or bringing an action that may be limited or
52 31 barred by any other statute.

52 32 Sec. 112. Section 669.14, subsection 11, unnumbered
52 33 paragraph 1, Code Supplement 2003, as amended by 2004 Iowa
52 34 Acts, House File 2347, section 116, is amended to read as
52 35 follows:

53 1 Any claim for financial loss based upon an act or omission
53 2 in financial regulation, including but not limited to
53 3 examinations, inspections, audits, or other financial
53 4 oversight responsibilities, pursuant to chapters 87, 203,
53 5 203C, 203D, 421B, 486, ~~or the figure "487" 487~~, 488, and 490
53 6 through 553, excluding chapters 540A, 542, 542B, 543B, 543C,
53 7 543D, 544A, and 544B.

53 8 Sec. 113. Section 709A.1, subsection 2, paragraph c, Code
53 9 2003, as amended by 2004 Iowa Acts, Senate File 2249, section
53 10 2, is amended to read as follows:

53 11 c. Any premises the use of which constitutes a violation
53 12 of chapter 717A, or section 725.5, or 725.10, ~~or 725.11~~.

53 13 Sec. 114. Section 714.26, subsection 1, paragraph c, if
53 14 enacted by 2004 Iowa Acts, House File 2395, is amended to read
53 15 as follows:

53 16 c. "Retail value" means the highest value of an item
53 17 determined by any reasonable standard at the time the item
53 18 bearing or identified by a counterfeit mark is seized. If a
53 19 seized item bearing or identified by a counterfeit mark is a
53 20 component of a finished product, "retail value" also means the
53 21 highest value, determined by any reasonable standard, of the
53 22 finished product on which the component would have been
53 23 utilized. The retail value shall be the retail value of the
53 24 aggregate quantity of all items seized which bear or are
53 25 identified by a counterfeit mark. For purposes of this
53 26 paragraph, reasonable standard includes but is not limited ~~the~~
53 27 to the market value within the community, actual value,
53 28 replacement value, or the counterfeiter's regular selling
53 29 price for the item bearing or identified by a counterfeit
53 30 mark, or the intellectual property owner's regular selling
53 31 price for an item similar to the item bearing or identified by
53 32 a counterfeit mark.

53 33 Sec. 115. Section 717E.1, subsection 3, paragraph a, if
53 34 enacted by 2004 Iowa Acts, House File 2480, section 1, is
53 35 amended to read as follows:

54 1 a. The annual fair and exposition held by the Iowa state
54 2 fair board pursuant to chapter 173 or any fair ~~held event~~
54 3 ~~conducted by a county or district fair or agricultural society~~
54 4 under the provisions of chapter 174.

54 5 Sec. 116. Section 812.6, subsection 2, unnumbered
54 6 paragraph 1, if enacted by 2004 Iowa Acts, Senate File 2272,
54 7 section 8, is amended to read as follows:

54 8 If the court finds by clear and convincing evidence that
54 9 the defendant poses a danger to the public peace or safety, or
54 10 that the defendant is otherwise not qualified for pretrial
54 11 release, or the defendant refuses to cooperate with treatment,
54 12 the court shall commit the defendant to an appropriate
54 13 inpatient treatment facility as provided in ~~paragraphs~~
54 14 ~~paragraph "a" and or "b"~~. The defendant shall receive mental
54 15 health treatment designed to restore the defendant to
54 16 competency.

54 17 Sec. 117. Sections 7D.15, 10D.1, 15.114, 15.221, 15E.64,
54 18 18A.11, 84A.1C, 225C.13, 303.3, 331.441, 357A.2, 357A.11,
54 19 357A.20, 357A.21, 357A.22A, 357A.23, 357A.24, 425.11, 476.1,
54 20 476.27, 480.3, 499.5, 499.5A, 500.3, 504C.1, 514.19, 514.23,
54 21 and 515.1, Code 2003, are amended by inserting before the
54 22 figure "504A" the following: "504 or", if 2004 Iowa Acts,
54 23 Senate File 2274 is enacted.

54 24 Sec. 118. Sections 9H.1, 9H.4, 10B.1, 190C.6, 304A.21,
54 25 331.427, 357A.15, 422.45, 490.1701, 504B.1, 504B.6, 513C.10,
54 26 514.1, 514.2, 514.5, 616.10, 633.63, and 716.6B, Code
54 27 Supplement 2003, are amended by inserting before the figure
54 28 "504A" the following: "504 or", if 2004 Iowa Acts, Senate
54 29 File 2274 is enacted.

54 30 Sec. 119. 2004 Iowa Acts, House File 401, section 1, is
54 31 amended by striking the section and inserting in lieu thereof
54 32 the following:

54 33 SECTION 1. Section 404A.4, subsection 4, Code Supplement
54 34 2003, is amended to read as follows:

54 35 4. The total amount of tax credits that may be approved
55 1 for a fiscal year under this chapter shall not exceed two
55 2 million four hundred thousand dollars. For the fiscal years
55 3 beginning July 1, 2005, and July 1, 2006, an additional five
55 4 hundred thousand dollars of tax credits may be approved each
55 5 fiscal year for purposes of projects located in cultural and
55 6 entertainment districts certified pursuant to section 303.3B.
55 7 Any of the additional tax credits allocated for projects
55 8 located in certified cultural and entertainment districts that
55 9 are not approved during a fiscal year may be carried over to
55 10 the succeeding fiscal year. ~~Tax credit certificates shall be~~
55 11 ~~issued on the basis of the earliest awarding~~ The department of
55 12 cultural affairs shall establish by rule the procedures for
55 13 the application, review, selection, and awarding of
55 14 certifications of completion as provided in subsection 1. The
55 15 departments of economic development, cultural affairs, and
55 16 revenue shall each adopt rules to jointly administer this
55 17 subsection and shall provide by rule for the method to be used
55 18 to determine for which fiscal year the tax credits are
55 19 approved available.

55 20 Sec. 120. 2004 Iowa Acts, House File 2562, section 10,
55 21 subsection 2, if enacted, is amended to read as follows:

55 22 2. On and after July 1, 2005, an owner of an electrical
55 23 and mechanical amusement device as described in subsection 1
55 24 shall not offer the device for use by the public. However,
55 25 the owner of a device shall be permitted to sell the device to
55 26 a distributor, as defined in section 99B.1, as amended by this

55 27 Act, or to a person authorized to offer the device to the
55 28 public pursuant to section 99B.10, subsection 4, as amended by
55 29 this Act for which a class "A", class "B", class "C", or class
55 30 "D" liquor control license ~~or class "B" or class "C" beer~~
~~55 31 permit has been issued pursuant to chapter 123.~~
55 32 Sec. 121. 2004 Iowa Acts, Senate File 2070, section 35,
55 33 subsection 1, is amended to read as follows:
55 34 1. Except as provided in subsections 2 through 4 6, this
55 35 Act takes effect January 1, 2005.
56 1 Sec. 122. The section of 2004 Iowa Acts, House File 2489,
56 2 amending section 523A.502, subsection 7, is repealed if 2004
56 3 Iowa Acts, House File 2269, is enacted.
56 4 Sec. 123. 2004 Iowa Acts, Senate File 2282, section 1, if
56 5 enacted, is amended to read as follows:
56 6 SECTION 1. LOESS HILLS STUDY AND REPORT. The loess hills
56 7 development and conservation authority, in consultation with
56 8 the state advisory board for preserves, shall conduct a
56 9 comprehensive study to determine the archaeological and
56 10 paleontological significance and the significance of the flora
56 11 and fauna of the loess hills and to determine the feasibility
56 12 of designating land in the loess hills for dedication as a
56 13 state native prairie preserve and of other various uses of the
56 14 loess hills. ~~The natural resource commission loess hills~~
~~56 15 development and conservation authority may accept gifts,~~
56 16 grants, bequests, and other private contributions, as well as
56 17 federal, state, or local funds for the purposes of conducting
56 18 the study. The loess hills development and conservation
56 19 authority and the state advisory board for preserves shall
56 20 file a joint report containing their findings and
56 21 recommendations with the legislative services agency by
56 22 December 15, 2006, for distribution to the general assembly.
56 23 Sec. 124. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
56 24 1. The sections of this division of this Act amending
56 25 sections 9H.1 and 10B.1, Code Supplement 2003, and 229.27,
56 26 Code 2003, take effect January 1, 2005. The sections of this
56 27 division of this Act further amending sections 9H.1 and 10B.1,
56 28 Code Supplement 2003, and 229.27, Code 2003, as amended by
56 29 this division of this Act to take effect January 1, 2005, take
56 30 effect January 1, 2006.
56 31 2. The section of this division of this Act amending
56 32 section 260C.18A, being deemed of immediate importance, takes
56 33 effect upon enactment and applies retroactively to July 1,
56 34 2003.
56 35 3. The section of this division of this Act amending 2004
57 1 Iowa Acts, Senate File 2070, being deemed of immediate
57 2 importance, takes effect upon enactment and applies
57 3 retroactively to the date of enactment of Senate File 2070.
57 4 DIVISION VIII
57 5 VISION IOWA AND COMMUNITY ATTRACTION AND TOURISM
57 6 PROGRAMS
57 7 Sec. 125. Section 8.57, subsection 5, paragraph e,
57 8 unnumbered paragraph 1, Code Supplement 2003, is amended to
57 9 read as follows:
57 10 Notwithstanding provisions to the contrary in sections
57 11 99D.17 and 99F.11, for the fiscal year beginning July 1, 2000,
57 12 and for each fiscal year thereafter, not more than a total of
57 13 sixty million dollars shall be deposited in the general fund
57 14 of the state in any fiscal year pursuant to sections 99D.17
57 15 and 99F.11. The next fifteen million dollars of the moneys
57 16 directed to be deposited in the general fund of the state in a
57 17 fiscal year pursuant to sections 99D.17 and 99F.11 shall be
57 18 deposited in the vision Iowa fund created in section 12.72 for
57 19 the fiscal year beginning July 1, 2000, and for each fiscal
57 20 year through the fiscal year beginning July 1, ~~2019~~ 2029. The
57 21 next five million dollars of the moneys directed to be
57 22 deposited in the general fund of the state in a fiscal year
57 23 pursuant to sections 99D.17 and 99F.11 shall be deposited in
57 24 the school infrastructure fund created in section 12.82 for
57 25 the fiscal year beginning July 1, 2000, and for each fiscal
57 26 year thereafter until the principal and interest on all bonds
57 27 issued by the treasurer of state pursuant to section 12.81 are
57 28 paid, as determined by the treasurer of state. The total
57 29 moneys in excess of the moneys deposited in the general fund
57 30 of the state, the vision Iowa fund, and the school
57 31 infrastructure fund in a fiscal year shall be deposited in the
57 32 rebuild Iowa infrastructure fund and shall be used as provided
57 33 in this section, notwithstanding section 8.60.
57 34 Sec. 126. COMMUNITY ATTRACTION AND TOURISM FUND. There is
57 35 appropriated from the rebuild Iowa infrastructure fund to the
58 1 office of the treasurer of state for the fiscal period
58 2 beginning July 1, 2005, and ending June 30, 2009, the

58 3 following amounts, or so much thereof as is necessary, to be
58 4 used for the purposes designated:
58 5 For deposit in the community attraction and tourism fund:
58 6 FY 2005=2006 \$ 12,000,000
58 7 FY 2006=2007 \$ 12,000,000
58 8 FY 2007=2008 \$ 12,000,000
58 9 FY 2008=2009 \$ 12,000,000

58 10 DIVISION IX

58 11 REGULATORY EFFICIENCY COMMISSION

58 12 Sec. 127. REGULATORY EFFICIENCY COMMISSION.

58 13 1. A regulatory efficiency commission is established for
58 14 purposes of identifying unneeded regulations, fines, and fees
58 15 that hinder business development. The commission shall also
58 16 identify methods for streamlining access to regulatory
58 17 information.

58 18 2. The commission shall consist of eight voting members
58 19 appointed by the governor and four ex officio members.

58 20 a. The eight voting members appointed by the governor are
58 21 subject to the requirements of sections 69.16, 69.16A, and
58 22 69.19. The eight members shall consist of the following:

58 23 (1) Two members shall be economic development
58 24 representatives from two different chambers of commerce. One
58 25 shall be from a metropolitan area with more than fifty
58 26 thousand people and one shall be from a metropolitan area with
58 27 fifty thousand people or less.

58 28 (2) Two members representing agricultural interests.

58 29 (3) One member representing the Iowa association of
58 30 business and industry.

58 31 (4) Two members representing commercial-based and
58 32 manufacturing-based businesses.

58 33 (5) One member representing the Iowa environmental
58 34 council.

58 35 b. The four ex officio members shall be members of the
59 1 general assembly. Two members shall be from the senate and
59 2 two members shall be from the house of representatives, with
59 3 not more than one member from each chamber being from the same
59 4 political party. The two senators shall be designated by the
59 5 president of the senate after consultation with the majority
59 6 and minority leaders of the senate. The two representatives
59 7 shall be designated by the speaker of the house of
59 8 representatives after consultation with the majority and
59 9 minority leaders of the house of representatives. Legislative
59 10 members shall serve in an ex officio, nonvoting capacity.

59 11 3. Meetings of the commission are subject to the
59 12 provisions of chapter 21.

59 13 4. By January 10, 2005, the commission shall submit a
59 14 written report to the governor and the general assembly. The
59 15 report shall include the findings and legislative
59 16 recommendations of the commission. The report shall be
59 17 distributed by the secretary of the senate and the chief clerk
59 18 of the house of representatives to the chairpersons and
59 19 members of the administrative rules review committee and the
59 20 economic growth committees in the senate and the house of
59 21 representatives.

59 22 HF 2578

59 23 nh/es/25